



W.P.(MD)No.16068 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.16068 of 2024

Pitchai Iyer V

... Petitioner

/Vs./

1. The District Collector
Thanjavur District, Thanjavur.
2. The District Revenue Officer
Thanjavur, Thanjavur District.
3. The Revenue Divisional Officer,
Thanjavur, Thanjavur District.
4. The Tahsildar
Kumbakonam Taluk,
Thanjavur District.
5. Sri Sakthivaneshwarar Temple,
Represented by its the Executive Officer,
Patteeswaram, Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Proceedings issued by the third respondent in Na.Ka.No.4249/2024/A3 dated 01.07.2024 and quash the same on the



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ground that the same is arbitrary illegal and without any legal basis and consequently directing the respondents No. 1 to 4 to cancel the Patta No. 856 Patta No. 792 in connection with properties comprised in Survey No. 140 to an extent of 14 cents Survey No. 142/2 to an extent of 1 Cent Survey No. 143/1 to an extent of 5 Cents Survey No. 145/2 to an extent of 1/2 cents Survey No. 145-3 to an extent of 3 Cents, Survey No.145-4 to an extent of ½ cent, Survey No.150/1 to an extent of 5 cents, Survey No.150/4 to an extent of 2 cents, Survey No.152/1 to an extent of 10 cents, Survey No.152/2 to an extent of 7 cents, Survey No.158/2 to an extent of 3 cents, Survey No.159/1 to an extent of 2 cents and Survey No. 175/1 to an extent of 8 cents situated at Cholan Maaligai Village, Kumbakonam Taluk, Thanjavur District, by issuing the patta in favour of the petitioner.

For Petitioner : Mr.P.Krishnasamy

For Respondents : Mr.C.Satheesh
Government Advocate for R1-4

: Mr.V.Chandrasekar
Standing Counsel for R5

ORDER

The petitioner challenges the impugned order of the third respondent / Revenue Divisional Officer, in Na.Ka.No.4249/2024/A3 dated 01.07.2024.



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2. The learned counsel for the petitioner made elaborate submissions challenging the said impugned order passed by the third respondent on the merits of the various findings that have been rendered by the third respondent.

3. Admittedly, a statutory appeal is available to the District Revenue Officer, in the event of the petitioner being aggrieved by the order of the third respondent. Without resorting to the statutory alternative remedy, the present writ petition has been filed. It is open to the petitioner to approach the District Revenue Officer by way of an appeal, challenging the impugned order of the third respondent. If the said appeal is preferred within a period of four weeks from today, then, the second respondent shall entertain the appeal without putting limitation against the petitioner.

4. Considering the age of the petitioner, if the petitioner files the appeal within a period of four weeks from today, the second respondent shall decide the appeal, within a period of six (6) weeks thereafter on merits and in accordance with law.



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5. With the above observation, this Writ Petition is dismissed.

There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
LS

20.02.2025

Note: The Registry shall return the original impugned order dated 01.07.2024 after getting an acknowledgement from the learned counsel for the petitioner. The said original impugned order shall be returned within a period of two (2) weeks from today.

Issue order copy on 24.02.2025



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TO:-

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Thanjavur District, Thanjavur.
2. The District Revenue Officer
Thanjavur, Thanjavur District.
3. The Revenue Divisional Officer,
Thanjavur, Thanjavur District.
4. The Tahsildar
Kumbakonam Taluk,
Thanjavur District.
5. The Executive Officer,
Sri Sakthivaneshwarar Temple,
Patteeswaram, Thanjavur District.



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P.B. BALAJI, J.

LS

Order made in
W.P.(MD)No.16068 of 2024

Dated:
20.02.2025