



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.5212 of 2017

A.Chellappa

: Petitioner

Vs.

1. The State rep. through by its
Chief Secretary,
Fort St. George, Chennai - 600 009.
2. The State rep. through by its,
Revenue Secretary,
Fort St. George, Chennai - 600 009.
3. The District Collector,
Collectorate Office,
Madurai.

: Respondents

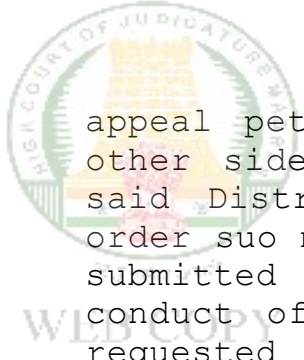
Prayer : This Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus to direct the 1 to 3 respondents to consider and conduct the appropriate enquiry based on the petitioner's representation dated 23.12.2016 and within a time frame fixed by this Court.

For Petitioner : Mr.M.Venkatesan
For Respondents : Mr.D.Muruganantham
Additional Government Pleader

O R D E R

This writ petition has been filed by the petitioner for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider and conduct the appropriate enquiry based on the petitioner's representation dated 23.12.2016.

2.According to the petitioner, he had given a representation on 23.12.2016 making certain allegations as against the District Revenue Officer, Madurai, that he demanded illegal gratification for disposal of the revision petition before him in respect of the property, for which, the petitioner had obtained tenancy right from the competent authority under the Tamil Nadu Agricultural Lands Record of Tenancy Rights Act, 1969. According to the petitioner, he refused to oblige the District Revenue Officer, but the said District Revenue Officer had compromised the



appeal petition by accepting the illegal gratification from the other side and passed orders in their favour. Thereafter, the said District Revenue Officer had himself reviewed his common order suo motu by passing orders on 05.08.2016. The petitioner had submitted her representation on 23.12.2016 against the so called conduct of the District Revenue Officer to the respondents and requested them to take action against him. According to the petitioner, no action was taken. Therefore, she approached this Court seeking the relief as stated supra.

3. Heard both sides.

4. The prayer sought for in this writ petition cannot be granted for the simple reason that this Court, exercising the jurisdiction under Article 226 of the Constitution of India, cannot give such a direction to the respondents for taking action against the erring Government officials. It is always open to the petitioner to seek appropriate remedy before the competent authority on his allegations against the officials concerned. When jurisdiction of this Court under Article 226 cannot be invoked for such purposes, that too, without hearing the likely affected party, any blanket direction in this connection would not be in the interest of the overall administration of the State machinery. The prayer sought for in this writ petition is completely misconceived and the jurisdiction of this Court is not available for such kind of complaints from likes of the petitioner. In case, the petitioner is genuinely aggrieved by the conduct of the erring officials, it is always open to him to knock the doors of the appropriate authority as he deems fit.

5. In such view of the matter, the writ petition is not maintainable and the same is dismissed. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Secretary,
Fort St. George, Chennai - 600 009.
 2. The Revenue Secretary,
Fort St. George, Chennai - 600 009.
 3. The District Collector,
Collectorate Office, Madurai.
- +1 cc to Mr.M.Venkatesan, Advocate, SR.No.17745
+1 cc to Special Government Pleader, SR.No. 18095

W.P. (MD) No.5212 of 2017
24.03.2017