



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

WEB COPY

W.P. (MD) No.19974 of 2018

and

W.M.P. (MD) No.17771 of 2018

S.Asmathullah

... Petitioner

vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.Thiru.Sivakumar,
Now working as Tahsildar,
Ramanathapuram.

3.The Revenue Divisional Officer,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus directing the first respondent to take appropriate action against the second and third respondents on the complaint of the petitioner dated 08.09.2018 and 10.09.2018.

For Petitioner : Mr.Veerakathiravan
Senior Counsel
for M/s.Veera Associates

For Respondents : Mr.S.Angappan
Government Advocate

ORDER

The writ petitioner appears to have been aggrieved by a false report submitted by the second respondent in his official capacity as Tahsildar, Ramanathapuram detrimental to his interest and therefore, he has filed a complaint to the first respondent as against the second respondent for the alleged misconduct committed by him. Since no action is forthcoming, the petitioner is before this Court seeking to issue a writ of Mandamus.

2. This Court is unable to appreciate as to how such writ petition could be maintained in a dispute which normally falls within the private realm between the petitioner and the second



respondent. This Court's jurisdiction under Article 226 of the Constitution of India cannot be invoked so casually to get some kind of direction to the first respondent to take action against the second respondent.

3. In case the petitioner has any grievance against the conduct of the second respondent in discharge of his official duties as Tahsildar, Ramanathapuram, it is always open to him to pursue his remedy as open to him in law and it certainly not open to him to invoke the writ jurisdiction of this Court in order to settle his personal grievance.

4. In the above circumstances, this Court is of the considered view that the writ petition is not maintainable and therefore, the same is dismissed. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.Thiru.Sivakumar,
Now working as Tahsildar,
Ramanathapuram.
- 3.The Revenue Divisional Officer,
Ramanathapuram District.

+1CC to M/s.Veera Associates, Advocate, SR.No.85041

W.P.(MD) No.19974 of 2018
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ES/SKN/RSK/SAR 4/23.10.2018/2P/5C