



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2021

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

WEB COPY

W.P. (MD) No.5479 of 2021

T.M.Singaravelu .. Petitioner
Vs

1.The District Collector,
Kanyakumari,
Kanyakumari District.

2.The Revenue Divisional Officer,
Nagercoil, Kanyakumari District.

3.The Tahsildar,
Thovalai Taluk,
Kanyakumari District.

4.U.R.Madhumitha .. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to conduct enquiry and pass orders on the petitioner's representation dated 04.06.2020 seeking to cancel the Deserted Women Certificate issued by the 3rd respondent in R.Dis.50/28.06.2016 dated 02.07.2016 within a time frame fixed by this Court.

For Petitioner : Mr.R.J.Karthick
For R1 to R3 :Mr.C.Ramesh
Special Government Pleader

ORDER

The petitioner is the husband of the 4th respondent. According to the petitioner, he and the 4th respondent were married on 31.08.2005 and the 4th respondent had left the matrimonial home in 2015. She has also filed HMOP.No.68 of 2015 on the file of the 1st Additional Subordinate Court, Nagercoil for dissolution of the marriage. However, HMOP.No.68 of 2015 was dismissed on 07.03.2018. According to the petitioner, during the pendency of the HMOP.No.68 of 2015, the 4th respondent obtained a Deserted Woman Certificate dated 02.07.2016 from the 3rd respondent, on the basis of which, she got appointment in the Devesam Board, Susindran.



2. According to the petitioner, the 4th respondent has obtained the Deserted Woman Certificate fraudulently by making false statement before the authority and therefore, in order to cancel the certificate given to her, a representation was made by the petitioner on 03.08.2020, requesting the 2nd respondent to cancel the said certificate. The petitioner also appears to have submitted representations to the 1st respondent, Revenue Officials, HR & CE Department etc to take action against the 3rd respondent for issuing a bogus certificate to the 4th respondent in order to enable her to obtain appointment illegally and fraudulently. As there was no response to the representations, the petitioner is before this Court.

3. From the above factual narrative, it could be seen that the dispute as between the petitioner and the 4th respondent is entirely a private one. The petitioner in order to settle his personal scores with the 4th respondent has invoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. The petitioner cannot seek to target the official respondents by seeking any directions from this Court in a dispute as between him and the 4th respondent, which dispute arises entirely within the personal relationship between them and by no stretch of legal standard, such dispute can be brought within the public law remedy.

4. As stated above by the petitioner himself, there appears to be a matrimonial discord between the petitioner and the 4th respondent and such matrimonial dispute cannot be a subject matter of adjudication by this Court. The petitioner in order to achieve an oblique motive and to settle his personal grudge against the 4th respondent has filed the present writ petition. Therefore, such writ petition ought not to be encouraged or entertained by this Court under any circumstances.

5. For the above said reasons, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

To

1. The District Collector,
Kanyakumari,
Kanyakumari District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Revenue Divisional Officer,
Nagercoil, Kanyakumari District.

3.The Tahsildar,
Thovalai Taluk, Kanyakumari District.

+1 CC to M/s.SPL GP (SR-11005[F] dated 15/03/2021)

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-11239[F] dated 15/03/2021)

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GS(21.04.2021) 3P 6C