



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2021

CORAM :

WEB COPY

**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE T.S.SIVAGNANAM**

W.A. (MD) No.1222 of 2021

M.Riswana Parveen Begum ..Appellant/Writ Petitioner

Vs

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

3.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

.. Respondents/Respondents

PRAYER: Appeal under Clause 15 of the Letters Patent, against the order dated 19.04.2021, passed in W.P.(MD) No.8091 of 2021.

Prayer in WP(MD). 8091/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to conduct enquiry against the erring officials of Ramanathapuram Taluk office to take legal action against them, by considering the representation of the petitioner dated 09.03.2021.

For Appellant : Mr.R.Gowrishankar
For Respondents : Mr.A.K.Manickam,
Standing Counsel.

JUDGMENT

[Judgment of the Court was delivered by
The Hon'ble Chief Justice]

The appeal arises out of an order dated April 19, 2021 by which the appellant's writ petition filed for an inquiry to be conducted



against perceived erring officials at some taluk office has been dismissed. The appellant complained of erroneous legal heir certificates being issued by the concerned officials in the year 2010 and various false certificates issued in the year 2012. The appellant contends that based on such false documents, further documents were executed in the year 2012.

2. The writ petition was dismissed since the matters complained of pertained to the years 2010 and 2012 and the petition had been carried in the year 2021. It is also evident that there are disputes between persons seeking to claim benefits under the perceived false documents and the appellant. Ordinarily, in such an event, it is the suit court which has to be approached for an appropriate declaration and cancellation with consequential reliefs.

3. There does not appear to be any flaw in the reasons furnished by the Single Bench in support of the order of dismissal.

4. The order impugned dated April 19, 2021 does not call for any interference. At any rate, such order has left it open to the appellant to work out her remedies before the appropriate civil court.

5. W.A.(MD)No.1222 of 2021 is dismissed. There will no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.



2.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

3.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

+1 CC to M/s.SPL GP (SR-20578[F] dated 29/06/2021)

W.A. (MD) No.1222 of 2021
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KB(02.07.2021) 3P 5C