



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.3321 of 2022

D.Tamilganeshan

... Petitioner

-vs-

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Madurai District, Madurai.

3.The Tahsildar,
Madurai North, Madurai.

4.The Inspector of Police,
The Anti Corruption,
165G, Alagarkovil Road,
Madurai City, Madurai.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to consider the petitioner's representation dated 27.01.2022 sent to 1st respondent.

For Petitioner : Mr.V.Alageshkumar

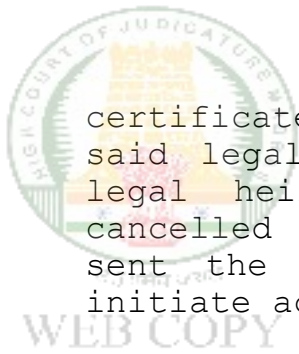
For Respondents : Mr.D.Sadiq Raja,
Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is to direct the respondents to consider the representation dated 27.01.2022.

2.The representation submitted by the writ petitioner reveals that the Tahsildar, Madurai North, Madurai, has issued a legal heir certificate in an erroneous manner.

3.The petitioner states he is the son of one Dhachanamoorthy and legal heir certificate was already issued in his favour. However, one another person viz., Murugan also claimed legal heir



certificate in respect of the father of the writ petitioner. The said legal heir certificate was issued by the Tahsildar and the legal heir certificate already issued to the petitioner was cancelled by the 2nd respondent and therefore, the petitioner has sent the representation to the District Collector, Madurai, to initiate action against respondents 2 to 4.

4.The learned Additional Government Pleader appearing on behalf of the respondents made a submission that the legal heir certificate issued to the petitioner was cancelled by the Revenue Divisional Officer, Madurai. In view of such cancellation, the petitioner has submitted the representation to initiate action against the 2nd respondent with an ulterior motive.

5.This Court is of the considered opinion that there is a growing trend of submitting representation to initiate action against public officials and direction is sought for to consider such representation. No doubt, if any public official has involved in corrupt activity or committed illegality, actions are to be initiated. However, High Court cannot conduct an adjudication in respect of such allegations and on receipt of any such complaint or otherwise, the competent authority is empowered to conduct an enquiry and initiate action.

6.As far as the legal heir certificate is concerned, if any dispute arises, the same is to be adjudicated before the competent court of law and only thereafter, appropriate certificates are to be issued. In the present case, the 2nd respondent cancelled the legal heir certificate issued in favour of the writ petitioner and if at all the petitioner is aggrieved, he has to approach the competent court of law to establish his right in respect of the legal heirship. Without establishing the right, no relief can be granted. In the event of submitting representation to initiate action, High Court cannot issue a direction and it is for the authorities to take necessary action whenever such complaints are received.

7.With the above observations, this Writ Petition is dismissed. However, there shall be no order as to costs.

Sd/-

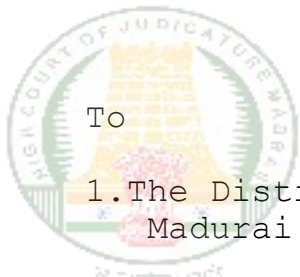
Assistant Registrar (Crl side)

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Sub Assistant Registrar(CS)

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To

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The Anti Corruption,
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+1 CC to M/s.SPL GP (SR-8053[F] dated 23/02/2022)

+1 CC to M/s.V.ALAGESH KUMAR, Advocate (SR-8202[F] dated
23/02/2022)

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