



W.P.No.5881 of 2015

**WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated: 10.01.2023

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

**W.P.No.5881 of 2015**

V.Sundaram

... Petitioner

Vs

- 1.The Secretary to Government,  
Revenue Department,  
Fort St. George,  
Chennai – 600 009.
- 2.The Directorate of Vigilance and Anti-Corruption,  
NCB.21 to 28, P.S.Kumarasamy Raja Salai,  
(Greenways Road), Raja Annamalaipuram,  
Chennai – 600 028.
- 3.The District Collector,  
The Nilgiris District,  
at Ooty.
- 4.The Revenue Divisional Officer,  
Gudalur,  
The Nilgiris District.
- 5.Aari,  
Tahsildar, Pandalur,  
The Nilgiris District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India,  
praying to issue a writ of Mandamus, directing the respondents 1 to 3 to



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conduct proper enquiry against the 5<sup>th</sup> respondent for his corrupt practice and take necessary action against the 5<sup>th</sup> respondent.

For Petitioner : No appearance

For Respondents : Mr.Veda Bagath Singh,[for R1 to R4]  
Special Government Pleader  
Mr.J.Mohan Prasath [for R5]  
Mr.V.Jaya Prakash Narayan

### **ORDER**

The petitioner is called absent. Pleadings are complete. The prayer of the petitioner is for a Mandamus directing the official respondents that is R1 to R3 being the Revenue Secretary, Director of Vigilance and Anti-Corruption and the District Collector of Nilgiris District to conduct and enquiry against R5 one Aari, Tahsildar, Pandalur, Nilgiris District.

2. A perusal of the affidavit filed in support of the Writ petition reveals extensive allegations as against R5 in regard to certain land disputes that was pending before District Munsif Court, Gudalur in O.S.No.163 of 1989 decreed finally on 04.11.1993. According to the petitioner, R5 is guilty of various acts of omission and commission in regard to the property transactions relating to that original suit.

3. I am not inclined to consider the request for mandamus seeing as it would have been appropriate for the petitioner to put forth these allegations



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before the concerned Court or in the alternative file a representation before the authorities setting forth his grievances that may have been looked into.

4. Mandamus in matters such as the present which involves determination and examination of various facts cannot be engaged in by a Writ Court.

5. In light of the narrations aforesaid, this Writ petition is dismissed. No costs.

mpl

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Index : Yes / No

Speaking Order/Non-Speaking Order

To

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**Dr.ANITA SUMANTH, J.**

mpl

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