



W.P(MD)No.29290 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29290 of 2022

and

W.M.P(MD)No.23251 of 2022

S.Anthonyraj

... Petitioner

Vs

- 1.The District Collector,
Virudhunagar,
Virudhunagar District.
- 2.The Sub Collector,
Satchiyapuram,
Sivakasi,
Virudhunagar District.
- 3.The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.
- 4.The Chief Educational Officer,
Office of the District Educational Officer,
Collectorate,
Virudhunagar,
Virudhunagar District.
- 5.The District Educational Officer (Idai Nilai),
Office of the District Educational Officer,
Virudhunagar,
Virudhunagar District.



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6.The District Educational Officer (Elementary),
Office of the District Educational Officer,
Sivakasi – 626 123,
Virudhunagar District.

7.The Block Educational Officer,
Office of the AEEO,
Sivakasi,
Virudhunagar District.

8.The President,
'Thiruthangal Hindu Nadar Uravinmurai',
109, Main Road,
Thiruthangal – 626 130,
Virudhunagar District.

9.C.Manickam

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to cancel the Solvency Certificate issued by the third respondent in TN-1720220718126, dated 25.07.2022, by considering the petitioner's representation dated 29.08.2022.

For Petitioner : Mr.M.Solaisamy

For Respondents : Mr.M.Siddharthan
Additional Government Pleader
for R.1 to R.7

Mr.N.Dilipkumar for R.8 & R.9

ORDER

Heard the learned counsel on either side.



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2.The petitioner questions the solvency certificate issued by the jurisdictional Tahsildar in favour of the ninth respondent. Copy of the solvency certificate has been enclosed in the typed set of papers. The certificate sets out the details of properties said to be owned by the ninth respondent. Totally six items have been set out. The petitioner categorically asserts that out of six only two are owned by him. This assertion is not contested by the ninth respondent also. Therefore, certificate dated 25.07.2022 is *prima facie* improper. It is set aside.

3.The third respondent is directed to issue fresh solvency certificate based on the actual ownership of the ninth respondent. Enquiry shall be held by the third respondent and certificate afresh shall be issued within a period of two weeks from the date of receipt of a copy of this order. Copy of the fresh certificate shall be served on the petitioner.

4.This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

13.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

Note: Issue Order Copy on 15.02.2023.



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G.R.SWAMINATHAN, J.

MGA

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