



W.P.(MD).No.6087 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.6087 of 2024

Vadivel @ Sekar

... Petitioner

Vs

1. The District Collector,
Thoothukudi District.

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

3. Sekar

4. Shanmugaraj

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent no.1 and 2 herein to conduct enquiry and take appropriate departmental action against the respondent Nos.3 and 4 on the basis of the representation, dated 23.02.2021 and 25.11.2023 within a stipulated time period in accordance with law.

For Petitioner : Mr.V.Natarajan

For Respondents : Mr.N.Ramesh Arumugam(R1&R2)
Government Advocate



W.P.(MD).No.6087 of 2024

WEB COPY

ORDER

The petitioner has filed this writ petition seeking for a direction to the respondent Nos.1 and 2 to conduct enquiry and take appropriate departmental action against the respondent Nos.3 and 4 on the basis of the representations, dated 23.02.2021 and 25.11.2023 within a stipulated time period in accordance with law.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents. Perused the materials available on record.

3.The petitioner claims that in respect of the land belonging to his father, with the help of the respondents 3 and 4, his brothers viz., Courtdurai and Thangadurai were fraudulently obtained certificate, dated 07.07.2020 and sold the property on 08.07.2020. The petitioner sought information under Right to Information Act and came to know that the 4th respondent was not at all on duty on 07.07.2020. In this regard, the petitioner has given a complaint before the first respondent and so far, no action has been taken as against the respondents 3 and 4.



W.P.(MD).No.6087 of 2024

WEB COPY

4.The learned Government Advocate appearing for the respondents 1 and 2 submitted that based on the complaint given by the petitioner, enquiry was conducted and they came to know that the respondents 3 and 4 were acted only in accordance with law and there is no dereliction of duty on their part.

5.In view of the above submission, even if, the petitioner is still aggrieved, he can seek remedy by way of filing a civil suit. If the petitioner thinks that there is some cause of action and that the respondents 3 and 4 have committed fraud, the petitioner can very well lodge a criminal complaint. Hence, the petitioner is not having any lawful right to file this writ petition seeking to direct the respondent Nos.1 and 2 to conduct enquiry and take appropriate departmental action against the respondent Nos.3 and 4.

6.Accordingly, this writ petition stands dismissed. There shall be no order as to costs.

05.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



W.P.(MD).No.6087 of 2024

To

1. The District Collector,
Thoothukudi District.
2. The Revenue Divisional Officer,
Thoothukudi, Thoothukudi District.



WEB COPY



W.P.(MD).No.6087 of 2024

R.N.MANJULA, J.

PNM

ORDER IN
W.P.(MD).No.6087 of 2024

05.04.2024