



W.P.(MD)No.13304 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.13304 of 2024

K.Karuppanan

... Petitioner

vs.

1.The District Collector,
Madurai District,
Madurai.

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

3.Sivalingam
Village Administrative Officer,
Now working at Aathanoor Village,
Vadipatti Taluk,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records in Na.Ka.No.5971/2022/A dated 02.04.2024 on the file of 2nd respondent and to quash the same and to direct the 2nd respondent to pass orders on merits after considering the statement and evidence given by the petitioner.



W.P.(MD)No.13304 of 2024

For Petitioner : Mr.S.Mahesh Babu
For Respondents : Mr.M.Ramesh,
Government Advocate for R1 and R2

ORDER

Heard Mr.S.Mahesh Babu, learned counsel appearing for the petitioner and Mr.M.Ramesh, learned Government Advocate appearing for the respondents 1 and 2.

2. The petitioner has filed this petition seeking to quash the impugned order of the second respondent in Na.Ka.No.5971/2022/A dated 02.04.2024, wherein, further action was dropped on his complaint made against the third respondent.

3. It is alleged by the petitioner that the third respondent who was working as a Village Administrative Office at the relevant point of time received money from him towards land tax, but, refused to issue tax receipts and had also attacked him and hence, he has given a Police complaint.



W.P.(MD)No.13304 of 2024

WEB COPY

4. In this regard, the petitioner has also given a complaint to the second respondent on 08.03.2021 for taking Departmental action. The second respondent initiated proceedings in Na.Ka.No.5971/2022/A and issued a notice to the petitioner to appear before him on 21.04.2023. The petitioner has also appeared before the second respondent and given his statement. Once again, the petitioner appeared on 19.10.2023 and has given further statement. However, on 02.04.2024, the complaint was closed as though no documents have been furnished by the petitioner. Hence, the petitioner has filed this writ petition to quash the impugned order and to issue a direction to the second respondent to initiate action against the third respondent.

5. The petitioner appears to have got some grievance against the third respondent as he did not give receipts for the money the petitioner paid towards the land tax. It seems that the petitioner had also given a criminal complaint against the third respondent on certain allegations. Even though the petitioner had submitted that the third respondent had refused to issue the receipts to the money paid by him, in the complaint



W.P.(MD)No.13304 of 2024

given by him, he has stated that the third respondent had given joint receipts in the names of the joint holders and not individual receipts. So it cannot be claimed that the third respondent had refused to give any receipts. According to the petitioner, the properties in the relative patta for which the receipts had been given by the third respondent exclusively belonged to him. If so, the petitioner could have filed an appeal before the appropriate authority for considering the said property as his individual property.

6. So far as the alleged quarrel and assault is concerned, the petitioner had given a criminal complaint and hence, further proceedings will be taken in accordance with law and the Code of Criminal Procedure. When the investigation is pending against the third respondent, the third party cannot expect the employer to initiate any serious action against the employee just to settle his score. It is needless to state that the third party has already moved the criminal jurisdiction by way of filing a criminal complaint.



W.P.(MD)No.13304 of 2024

WEB COPY

7. It appears that the petitioner had also given a complaint before the Human Rights Commission for the alleged rights violation against him. In fact, the second respondent has to conduct an enquiry and file his report to the State Human Rights Commission in view of the case pending against the third respondent. The petitioner, who goes on giving several complaints against the third respondent before several authorities, cannot expect that each authority should take independent action in respect of the complaint made by him to the Police as well as the Human Rights Commission. The petitioner had already invoked the appropriate remedy open to him. Hence, he has to wait for the outcome without giving pressure to the Department to initiate any Departmental action against the third respondent.

8. In view of the above stated reasons, the writ petition is **dismissed**. No costs.

21.06.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order
mbi



W.P.(MD)No.13304 of 2024

To
WEB COPY

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Revenue Divisional Officer,
Madurai District,
Madurai.



WEB COPY



W.P.(MD)No.13304 of 2024

R.N.MANJULA, J.

mbi

W.P.(MD)No.13304 of 2024

21.06.2024