



W.P.(MD)No.16317 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.16317 of 2024

R.Sankaran

... Petitioner

Vs.

- 1.The District Registrar-Madurai South,
Mahal Registrar Office,
Mahal Road, Madurai-625 001.
- 2.The Sub Registrar,
Kallikudi Sub Registrar Office,
Kallikudi,
Madurai-625 701.
- 3.The Deputy Superintendent of Police,
Thirumangalam Sub Division,
Thirumangalam,
Madurai District-625 706.
- 4.The Revenue Divisional Officer,
Thirumangalam Sub Division,
Nearby Kappalur Tollgate,
Tharumathupatti,
Madurai-625 008.
- 5.The Tahsildar,
Kallikudi Tahsildar Office,
Kallikudi, Madurai-625 701.
- 6.Maruthupandi



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7.Pushpalatha

8.S.Ramalingam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to take departmental action against the second respondent for her illegal and collusive acts of registration of forged partition deed vide Doc No.2169/2024 dated 10.06.2024 on the basis of the representation dated 12.07.2024 within the time stipulated by this Court.

For Petitioner : Mr.R.Sundar

For R-1 to R-5 : Mrs.D.Farzhana Ghousia,
Special Government Pleader

ORDER

By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. Heard Mr.R.Sundar, learned counsel appearing for the petitioner and Mrs.D.Farzhana Ghousia, learned Special Government Pleader appearing for respondent Nos.1 to 5.

3. This Writ Petition has been filed seeking a direction to the first respondent to take departmental action against the second respondent for illegal and collusive acts of registration of forged partition deed vide Doc No.



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2169/2024 dated 10.06.2024 on the basis of the representation dated 12.07.2024

within the time stipulated by this Court.

4. The petitioner appears to have given a complaint alleging that the second respondent had colluded with respondent Nos.6 to 8 and registered a forged partition deed. Firstly, the office of the second respondent has been impleaded as a party and the second respondent does not represent any individual holding the office. Even it is presumed that the second respondent represents any individual holding the office, the petitioner is a third party to the employment contract between the second respondent and his appointing authority. Whenever any complaint has been filed by any third person by making any allegation, it is the discretion of the concerned authority to initiate action against the officials after being satisfied with the facts and the course of action that might need in the individual case. So far as the petitioner's complaint is concerned, it is alleged that there was a collusive action between the office of the Kallikudi Sub Registrar's Office and the sixth respondent.

5. The civil dispute if any between the petitioner and the third party cannot be used as a weapon to take action against the official of the Government Department to waste the time and resources of the Government



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department by initiating action against the officials of the department. The third party cannot resort to a short circuit way of harassing the officials for the personal animosity between them. It is upto the petitioner to take civil or criminal action against the concerned authority but any official involved in registration of document or any other official acts cannot be compelled to be subjected to disciplinary action.

6. Time and again, it has been held in several judgments of this Court as well as the Hon'ble Supreme Court that the third party cannot be settled as score by making use of the official as scapegoats by seeking such kind of of direction for disciplinary action.

7. I do not find any reason to entertain this writ petition.

8. Accordingly, the Writ Petition stands **dismissed**. No costs.

19.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG

To
1.The District Registrar-Madurai South,

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Mahal Registrar Office,
Mahal Road, Madurai-625 001.

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- 2.The Sub Registrar,
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Kallikudi,
Madurai-625 701.
- 3.The Deputy Superintendent of Police,
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R.N.MANJULA, J.



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