



W.P.(MD)No.24895 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.24895 of 2023

P.T.Narayanamoorthy

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The District Revenue Officer,
O/o.District Revenue Office,
Sivagangai.

3.The Revenue Divisional Officer,
O/o.Revenue Divisional office,
Sivagangai.

4.The Tahsildar,
Manamadurai,
Sivagangai District.

5.S.Vaithiyalingam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take necessary action as against the fifth respondent based on the petitioner's representation dated 24.08.2021 and 31.08.2023 within a time frame stipulated by this Court.



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For Petitioner : Mr.S.K.Muthamil Venthan
For R1 to R4 : Mr.J.Ashok
Additional Government Pleader

ORDER

Heard Mr.S.K.Muthamil Venthan, learned counsel appearing for the petitioner and Mr.J.Ashok, learned Additional Government Pleader appearing for the official respondents.

2.The petitioner has filed this writ petition seeking for a direction to respondents 1 to 3 to take necessary action as against the fifth respondent based on the petitioner's representations dated 24.08.2021 and 31.08.2023 within a time frame stipulated by this Court.

3.In respect of the property of the petitioner in Survey Nos.27/14B, 132/4 situated at Allinagaram Group, Thirupuvanam Taluk, Sivagangai District, the fifth respondent, who is a Deputy Tahsildar, had issued forged patta. Even after the repeated complaints made by the petitioner, the fifth respondent has made patta transfer order based on the forged documents. Thereafter, the third respondent cancelled the patta transfer. However, no action has been initiated against the erring officials. Hence, the petitioner has sent representations to the authorities concerned to take necessary action against the officials, who had indulged in the malpractice. However, the same has not been considered.



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Hence, the petitioner has filed this writ petition seeking to take action against the erring officials.

4.The contention raised by the petitioner in this writ petition can be decided only by way of filing a civil suit before the competent civil Court. Instead, the petitioner has prematurely approached this Court under Article 226 of the Constitution of India. The relief sought for by the petitioner in the writ petition is an indirect civil remedy, which he wants to enforce against the respondent No.5 and the writ jurisdiction of this Court cannot be allowed to be misused to achieve such ulterior motives.

5.For the reasons stated above, this writ petition is not maintainable. Accordingly, this Writ Petition stands dismissed. However, the petitioner is at liberty to approach the competent civil Court to seek any appropriate remedy, if he is so advised. No costs.

08.07.2024

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

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R.N.MANJULA, J.

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To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The District Revenue Officer,
O/o.District Revenue Office,
Sivagangai.
- 3.The Revenue Divisional Officer,
O/o.Revenue Divisional office,
Sivagangai.
- 4.The Tahsildar,
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