



WEB COPY



W.P No. 10653 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-03-2025

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P No. 10653 of 2025 and
W.M.P Nos. 12001 and 12000 of 2025

M.Prakash
The Official Receiver, District Court
Complex, Royakotta Road, Krishnagiri
District.

... Petitioner

Vs

1. The District Collector
Krishnagiri District.

2.TAHSILDAR
Krishnagiri District.

3.S.V.Ravichandran
S/o.Vadivelu Chetty, Sappanipatti
Post, Kariamangalam, Dharmapuri-
64511

... Respondents

PRAYER

Writ Petition under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari calling for the records of the notice of the 1st respondent in Na.Ka. 1309/ 2025/C4 dated 18.03.2025 and quash the same.

For Petitioner:	Mr. N.Ashwin Kumar
For Respondents:	Mr.S.Senthil Murugan Special Government Pleader



W.P No. 10653 of 2025

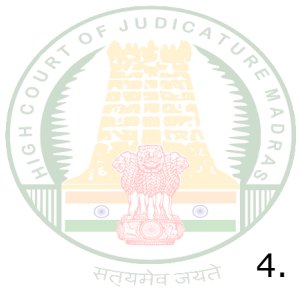
WEB COPY

ORDER

This writ petition is filed challenging the communication dated 18.03.2025.

2. The case of the petitioner is that he is appointed as Official Receiver and carried out his actions pursuant to the Court orders. He is answerable only to the Court and the District Collector has no jurisdiction whatsoever to interfere in his actions. Absolutely there is no enabling provision for the District Collector to have issued such summons.

3. When the matter came up for admission, learned Special Government Pleader, on instructions, would submit that the properties were sold by the Official Receiver pursuant to the insolvency proceedings that were pending before the District Court, Krishnagiri. Subsequently, some complaint seems to have been made before the learned Principal District Judge, Krishnagiri, who, in turn has sent a communication dated 18.01.2025 directing the District Collector to conduct an enquiry and submit a report to him in that regard. Therefore, the present summons have been issued.



W.P No. 10653 of 2025

WEB COPY

4. The question whether the District Collector will have jurisdiction to take any particular action or not will come only at the stage if some action is proposed to be taken. Prima facie, the Collector has only issued notice asking the petitioner to appear with the documents, which is a preliminary fact finding enquiry that is being done by the Collector, that too on the request of the District Judge. Therefore, the question with respect to the jurisdiction etc., cannot be gone into at this stage. What is necessary at the first instance is unearthing of the truth and when the District Judge has requested the District Collector to take action from his end, the Collector is only summoning the petitioner for ascertainment of the truth and therefore, at this stage itself there is nothing for this Court to interfere. The petitioner shall cooperate with the enquiry so that the truth can be found out and further report can be sent to the District Judge.

5. With the above observations, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

21-03-2025

Index : yes/No
NCS : Yes/No
Speaking Order / Non-speaking Order
KST



WEB COPY



W.P No. 10653 of 2025

D.BHARATHA CHAKRAVARTHY, J.

KST

To

1.The District Collector
Krishnagiri District.

2.TAHSILDAR
Krishnagiri District.

W.P.No.10653 of 2025

21.03.2025