§ 7203. Action by common informer. (a) When maintainable. Where a penalty or forfeiture is given by a statute to any person, an action to recover it may be maintained by any person in his own name; but the action cannot be compromised or settled without the leave of the court.

(b) Service. The summons can be served only by an officer authorized by law to collect upon an execution issued out of the same court. The summons cannot be countermanded by the plaintiff before service. Immediately after it has been served, the officer shall file it with his certificate of service with the judge who issued it or with the clerk of the court.

(c) Action not barred by collusive recovery. The plaintiff may recover, notwithstanding the recovery of a judgment, for or against the defendant, in an action brought by another person, if the former judgment was recovered collusively and fraudulently.