



W.P.Crl.(MD)No.3719 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07.07.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P.Crl.(MD)No.3719 of 2026 &
W.M.P.Crl.(MD)No.906 of 2026

M.Senthilkumar

... Petitioner

Vs

1. The Director General of Police
No. 1, Kamarajar Salai (Dr. Radhakrishnan Salai),
Mylapore,
Chennai – 600 004.
2. The Additional Director General of Police
Directorate of Vigilance and Anti-Corruption,
No. 293, MKN Road,
Alandur,
Chennai – 600 016.
3. The District Collector
Madurai District,
Madurai – 625 020.
4. The Commissioner of Police
Madurai City,
Alagar Kovil Road,
Madurai – 625 002.
5. The Deputy Superintendent of Police
Vigilance and Anti-Corruption,



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Madurai Range/Zone,
No. 165/G, Alagar Kovil Main Road,
Madurai – 625 002.

6. M/s. K.K. Flats Pvt. Ltd.
Represented by its Director,
Devakavitha,
W/o. Muthukumar,
No. 1A, South 80 Feet Main Road,
Anna Nagar,
Madurai – 625 020.

7. Muthukumar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1,2,4 and 5 to conduct a proper enquiry in accordance with law, into the malpractice of changing the patta and the extent of property indulged in by Respondents 6 and 7 and their men and agents including the erring officials, resulting in loss to the exchequer of the State based on the petitioner's representation dated 03.06.2026 within such time limit as may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimuthurasu

For Respondents : Mr.A.Robinson,
Government Advocate
for R1, R2, R4 and R5

Mr.S.Sivasubramaniam,
Government Advocate for R3



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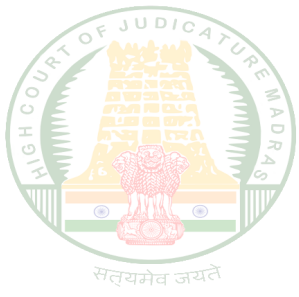
ORDER

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This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing Respondents 1, 2, 4 and 5 to conduct a proper enquiry, in accordance with law, into the alleged malpractice relating to the alteration of the patta and the extent of the property, committed by Respondents 6 and 7 and their men and agents, in collusion with the erring officials, resulting in loss to the State exchequer, based on the petitioner's representation dated 03.06.2026.

2. Mr.A.Robinson, learned Government Advocate (Criminal Side), takes notice for Respondents 1, 2, 4 and 5. Mr. S. Sivasubramanian, learned Government Advocate (Civil Side), takes notice for the third respondent. Since no adverse order is going to be passed against Respondents 6 and 7, notice to them is dispensed with.

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



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4. The petitioner is a resident of Nagercoil. He claims to own certain extent of land situated at Anna Nagar, Ward No.19, Santhamangalam, Madurai Corporation, Madurai. According to him, based on the report of the Tahsildar, Madurai North Taluk, dated 02.06.2022, the sixth respondent, in collusion with certain officials, had fraudulently obtained patta in his favour for an extent of 2 acres and 32 cents, far in excess of the extent covered under his title documents. Aggrieved thereby, the petitioner submitted a complaint before the official respondents and has filed the present Writ Petition seeking a direction to the Vigilance Department to enquire into his complaint based on the report dated 02.06.2022.

5. The learned counsel appearing for the petitioner submits that there has been a systematic and fraudulent mutation of revenue records with the connivance of certain officials of the Revenue Department and, therefore, the matter warrants an enquiry by the Vigilance Department.



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6. The learned Government Advocate appearing for the third respondent, by referring to Clause 7 of the Vigilance Manual, submits that a complaint of this nature does not fall within the jurisdiction of the Vigilance Department. According to him, Clause 7 clearly demarcates the functions of the Vigilance and Anti-Corruption Department and those of the Police Department. The relevant portion is extracted hereunder:

"Clause 7 – Demarcation of Investigative Functions of the Directorate of Vigilance and Anti-Corruption and that of the Police Department

(1) The following is the demarcation of the investigative functions of the Directorate and that of the Police Department in the State:-

(i) The Directorate of Vigilance and Anti-Corruption will be responsible for enforcement of law under Chapter IX of the Indian Penal Code and the Prevention of Corruption Act, including offences under Section 165-A of the Indian Penal Code and of conspiracy or abetment relating to the above provisions;

(ii) Investigation of all other offences involving Public Servants will be done by the Police Department;

(iii) Where offences under both the categories mentioned above are involved, the Directorate or the Police



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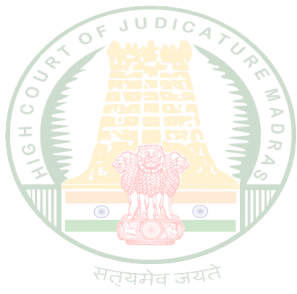


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Department may investigate, depending upon what constitutes the major offence. Cases involving office bearers of Co-operative Societies may be dealt with by the Police Department. In doubtful cases, decision will be taken on mutual consultation between the Director and the Director General of Police.

(2) However, cases under Section 165-A of the Indian Penal Code, coming to the notice of the local Police or City Police or initiated by them, can be investigated by the local Deputy Superintendent of Police or the Assistant Commissioner of Police in Madras City, despite the existence of a separate Directorate of Vigilance and Anti-Corruption."

7. By referring to the above guidelines, the learned Government Advocate submits that the present complaint cannot be investigated by the Vigilance Department in the absence of any specific allegations attracting the offences relating to demand and acceptance of illegal gratification by the concerned officials. He further submits that the petitioner's complaint has already been forwarded to the District Collector, Madurai, for appropriate action.



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8. Considering the submissions made by the learned Government

Advocate that the issue has already been referred to the third respondent, namely, the District Collector, Madurai, this Writ Petition is closed with liberty to the petitioner to pursue his remedy before the said authority. In the event if it is found that any error has been committed by the officials by misusing their official position, it is for the third respondent, District Collector, Madurai, to take a call in accordance with law. No costs. Consequently, the connected Miscellaneous Petition is closed.

07.07.2026

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To

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2. The Additional Director General of Police
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3. The District Collector
Madurai District,
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4. The Commissioner of Police
Madurai City,
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Madurai – 625 002.

5. The Deputy Superintendent of Police
Vigilance and Anti-Corruption,
Madurai Range/Zone,
No. 165/G, Alagar Kovil Main Road,
Madurai – 625 002.

6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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