

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 26.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33694/2015 & MP.No.1/2015

P.Ravichandran

.. Petitioner

Versus

1.The Managing Director  
Tamilnadu Housing Board  
No.493, Anna Salai, Nandanam  
Chennai 600 035.

2.The Chief Revenue Officer  
Tamilnadu Housing Board,  
No.493, Anna Salai, Nandanam,  
Chennai 600 035.

3.The Executive Engineer cum Administrative  
Officer, Tamilnadu Housing Board, Ellees  
Nagar, Madurai-10.

4.the Superintending Engineer  
Madurai Division, Tamilnadu Housing Board  
Ellees Nagar, Madurai - 10.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of mandamus forbearing the respondents and their subordinates or any other officials tracing power under them or on their complaints, from proceeding against the petitioner in any manner contrary to the Tamil Nadu Housing Board's Service Regulations, 1969 and in the absence of any disciplinary proceeding as permissible therein, based on any report said to have been given by the 2<sup>nd</sup> respondent on any enquiry, to the 1<sup>st</sup> respondent, in respect of the issue of allotment of plots at Koodal Pudur in Madurai to the Vaigai River bank occupiers, whose huts were vanished by flood took place in the year 1977 and to drop if any already initiated against the petitioner based on the same.

For Petitioner : Mr.K.Karthick Jagannath  
For R1 to R4 : Mr.V.Anandamoorthy

## ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner, at present, working as an Office Assistant in the office of the 3<sup>rd</sup> respondent and is grievance is that in utter violation of the Tamil Nadu Housing Board's Service Regulations, 1969, without initiating any departmental action and without lodging any criminal complaint, the petitioner is proceeded, both departmentally as well as by way of criminal prosecution, by the Department of Vigilance and Anti Corruption, Madurai and hence, he came forward to file this writ petition.

3 Learned counsel for the petitioner would submit that only as per the instructions of the 1<sup>st</sup> respondent, steps are being taken by the 3<sup>rd</sup> respondent to proceed against the petitioner both departmentally and also by way of criminal prosecution and hence, the petitioner has been constrained to approach this Court by way of filing this writ petition.

4 Per contra, Mr V. Anandamoorthy, learned standing counsel, who accepts notice on behalf of the respondents 1 to 4, has drawn the attention of this Court to the typed set of documents and would submit that admittedly, the office of the 1<sup>st</sup> respondent as well as the Department of Vigilance and Anti Corruption, located in Madurai and therefore, no part of cause of action has arose within the jurisdiction of this Court and the remedy open to the petitioner, if any, is to approach the Madurai Bench of this Court and prays for dismissal of this writ petition.

5 This Court considered the rival submissions made on either side and also perused the materials placed before it.

6 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same and also taking into consideration, the objection as to the jurisdiction raised by the learned Standing Counsel for the respondents, permits the petitioner to submit a detailed representation to the respondents 1 and 2, within a period of two weeks from the date of receipt of a copy of this order and the respondents 1 and 2, on receipt of the same, are directed to consider and dispose of the said representation on merits and in accordance with law and pass appropriate orders within a further period of four weeks thereafter and communicate the decision taken, to the petitioner.

7 The writ petition is disposed of accordingly.  
No costs. Consequently, the connected miscellaneous petition  
is closed.

sd/  
ASSISTANT REGISTRAR (CS-V)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

AP

To

- 1.The Managing Director  
Tamilnadu Housing Board  
No.493, Anna Salai, Nandanam  
Chennai 600 035.
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Madurai Division, Tamilnadu Housing Board  
Ellees Nagar, Madurai - 10.

+1 CC to MR. K.Karthick Jagannath Advocate. SR.NO.  
58074

WEB COPY

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CO-CA  
JD 04/11/2015