

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.14346 of 2016

V.Ganesan
]

[PETITIONER

Vs

- 1 The State of Tamilnadu
Rep by its Secretary to Government
Home Department
Secretariat, Fort St George,
Chennai-600 009.
- 2 The Joint Secretary
to Govt of Tamil Nadu
The Rural Development and
Panchayat Raj Department
Secretariat, Fort St. George
Chennai-600 009
- 3 The Director
Directorate of Vigilance and
Anti Corruption (DVAC)
NCB.21 to 28 P.S.Kumarasamy Raja Salai
Raja Annamalaipuram, Chennai-600 028.
- 4 The District Collector
Office of the District Collector
Nagapattinam,
Nagapattinam District
- 5 The Tahsildar
Office of the Thasildar
Vedaranyam, Vedaranyam Taluk
Nagapattinam District
- 6 The Block Development Officer (Panchayat Union)
Office of the Block Development Office
Vedaranyam, Vedaranyam Taluk
Nagapattinam District
- 7 The President
Maruthur South Sethi Panchayat
Vedaranyam Taluk
Nagapattinam District.

[RESPONDENTS]

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the 4th Respondent to take action against the 7th respondent president of Maruthur South Sethi Panchayat, Vedaranyam Panchayat Union, Nagapattinam District based on the letter No.28906/PR-4/ 2015-1 dated 16.12.2015 of the 2nd respondent to the 4th respondent within stipulated time may be fixed by this Court.

For Petitioner : Mr.R.Murugabharathi

For Respondents : Mr.R.Rajeswaran -R1 to R5

Special Govt. Pleader

Mr.V.Jayaprakash Narayanan

Special Govt.Pleader for R6

O R D E R

Heard Mr.R.Murugabharathi, learned counsel appearing for the petitioner, Mr.R.Rajeswaran, learned Special Government Pleader appearing for the respondents 1 to 5 and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents 6 & 7 and with the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2.The petitioner is a resident of Maruthur South Sethi Panchayat, Vedaranyam Panchayat Union, Nagapattinam District, and he has filed this Writ Petition, praying for a direction to the District Collector, Nagapattinam to take action on the representation made by him, making serious allegations against the seventh respondent, the President of the Village Panchayat.

3.Since the Writ Petition is disposed of at the admission stage without notice to the seventh respondent, the merits of the allegations are not gone into and is left to be taken into consideration by the District Collector.

4.The petitioner submitted several representations and one such representation given to the Director of Vigilance and Anti Corruption Department (DVAC), was forwarded to the Chief Secretary, Government of Tamil Nadu by letter dated 16.11.2015, stating that the Directorate of Vigilance and Anti Corruption has not caused any enquiry into the contents of the representation, since it does not specifically disclose any cognizable offence under the Prevention of Corruption Act and in terms of Para 10(2) of the Manual of the Department of Vigilance and Anti Corruption and Government letter No.58124/N/2000-2 of Personnel & Administrative Reforms (N) Department dated 02.02.2001. Thereafter, the petitioner submitted another representation to the District Collector,

Nagapattinam, dated 16.12.2015, with a request to enquire into the allegations and take necessary action. Since no appreciable steps had been taken inspite of such a direction, the petitioner is before this Court after exhausting all avenues and after submitting representations.

5. Heard the learned Special Government Pleader on the submissions made by the learned counsel for the parties.

6. In the light of the above, there will be a direction to the fourth respondent to enquire into the complaint made by the petitioner as forwarded by the Government vide their communication dated 16.12.2015, after notice to the seventh respondent and all other persons who are likely to be aggrieved and appropriate action shall be initiated in accordance with law, within a period of three months from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

r p a

To

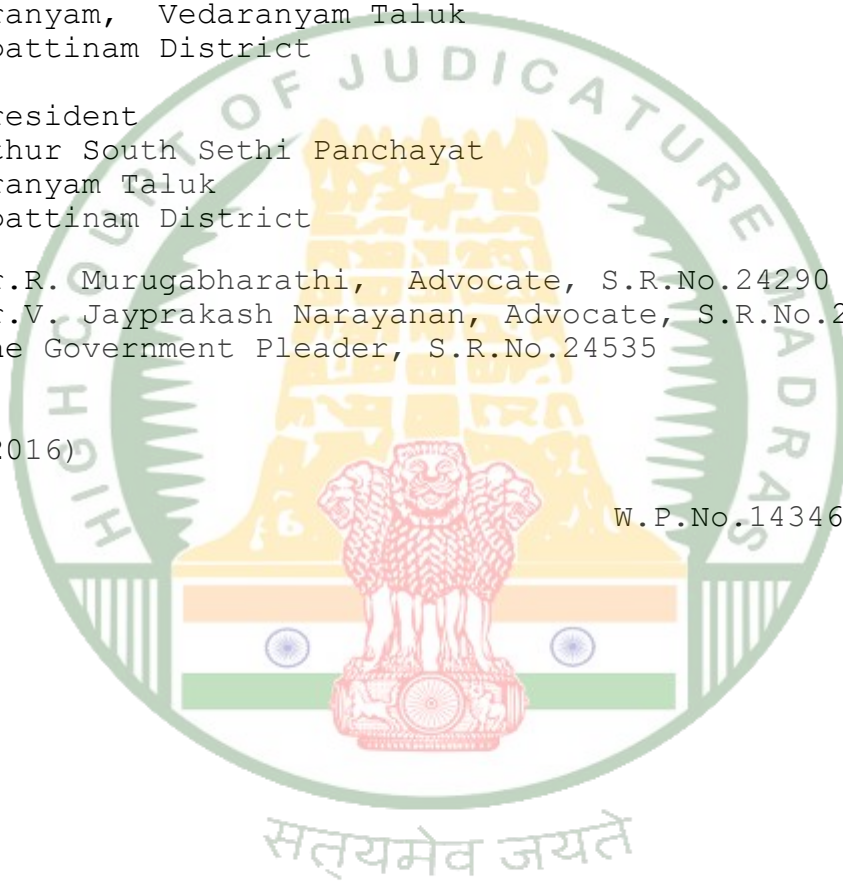
- 1 The State of Tamilnadu
Rep by its Secretary to Government
Home Department
Secretariat, Fort St George,
Chennai-600 009.
- 2 The Joint Secretary
to Govt of Tamil Nadu
The Rural Development and
Panchayat Raj Department
Secretariat, Fort St. George
Chennai-600 009
- 3 The Director
Directorate of Vigilance and Anti Corruption (DVAC)
NCB.21 to 28 P.S.Kumarasamy Raja Salai
Raja Annamalaipuram, Chennai-600 028.

- 4 The District Collector
Office of the District Collector
Nagapattinam,
Nagapattinam District
- 5 The Tahsildar
Office of the Thasildar
Vedaranyam, Vedaranyam Taluk
Nagapattinam District
- 6 The Block Development Officer (Panchayat Union)
Office of the Block Development Office
Vedaranyam, Vedaranyam Taluk
Nagapattinam District
- 7 The President
Maruthur South Sethi Panchayat
Vedaranyam Taluk
Nagapattinam District

+1cc to Mr.R. Murugabharathi, Advocate, S.R.No.24290
+1cc to Mr.V. Jayprakash Narayanan, Advocate, S.R.No.24610
+1cc to the Government Pleader, S.R.No.24535

EV(CO)
EU(29/04/2016)

W.P.No.14346 of 2016



WEB COPY