

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.29155 of 2013
and M.P.No.1 of 2015

J.Mohanraj

.. Petitioner

-vs-

- 1.The State of Tamilnadu,
rep. By Chief Secretary to Govt.
of Tamilnadu, Fort St. George,
Chennai-9.
- 2.Union of India, Rep. By
Secretary, Dept. of Administrative
Reforms and Public Grievances,
Govt. of India, New Delhi-11.
- 3.The Principal Secretary,
Personnel and Administrative Reforms,
Govt. of Tamilnadu, Chennai-9.
- 4.The Home Secretary,
Govt. of Tamil Nadu,
Chennai-9.
- 5.The Director of Vigilance and Anti-Corruption,
NCB 21-28, PS Kumarasamy Raja Salai,
Chennai-28.
- 6.The DGP, Tamilnadu Police, Chennai 4.
- 7.The Director, Central Bureau of
Investigation, New Delhi.
- 8.M/s.Sumangali Cable Vision,
Rep. By Managing Director Mylapore, Chennai-4

9.ETL Infrra Structure Limited,
Rep. By Managing Director,
SEZ Pallikaranai Village,
Rajiv Gandhi Road, Chennai

10.Mr.C.Umashankar, I.A.S.
(RR 8 to 10 impleaded vide order
dt.4.12.2013 in MP.1/2013)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to investigate the matter and proceed further in accordance with law.

For Petitioner : Mr.J.Mohanraj
Party-in-person
For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, for RR 1 & 3 to 7
: Mr.Su.Srinivasan,
Asst. Solicitor General, for R-2

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O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The grievance made by the petitioner is that there has been huge loss to the exchequer on account of improper conduct of a civil servant, C.Umashankar. The petitioner seeks investigation into the same.

2.Learned Government Pleader produced before us the material to show that the Directorate of Vigilance gave a final report dated 19.04.2012 not finding anything against the delinquent officer. A re-assessment of the report was done after some internal communications and the result has been formulated on 24.02.2016. In terms of both these reports, no disproportionate assets, either movable or immovable, have been found in possession of Mr.C.Umashankar. It is stated that no further evidence is also available.

3.The result of the aforesaid is that the proceedings stand closed against the officer.

4.In view of the aforesaid enquiry already held, we are not inclined to accept the oral prayer made by the petitioner in person that a new enquiry should be held by the C.B.I.

5.The second limb of the submission is based on ground (e) about the large scale cutting of cables, which is stated to have resulted in losses. The petitioner appearing in person states that no steps have been taken and the matter is still at the F.I.R. stage, despite lapse of time since 2009.

6.In the aforesaid behalf, the concerned authorities may look into the matter as to the stage of investigation to ensure its due completion at the earliest, if not already completed.

7.Writ petition is, accordingly, closed. No costs. Consequently, M.P.No.1 of 2015 also stands closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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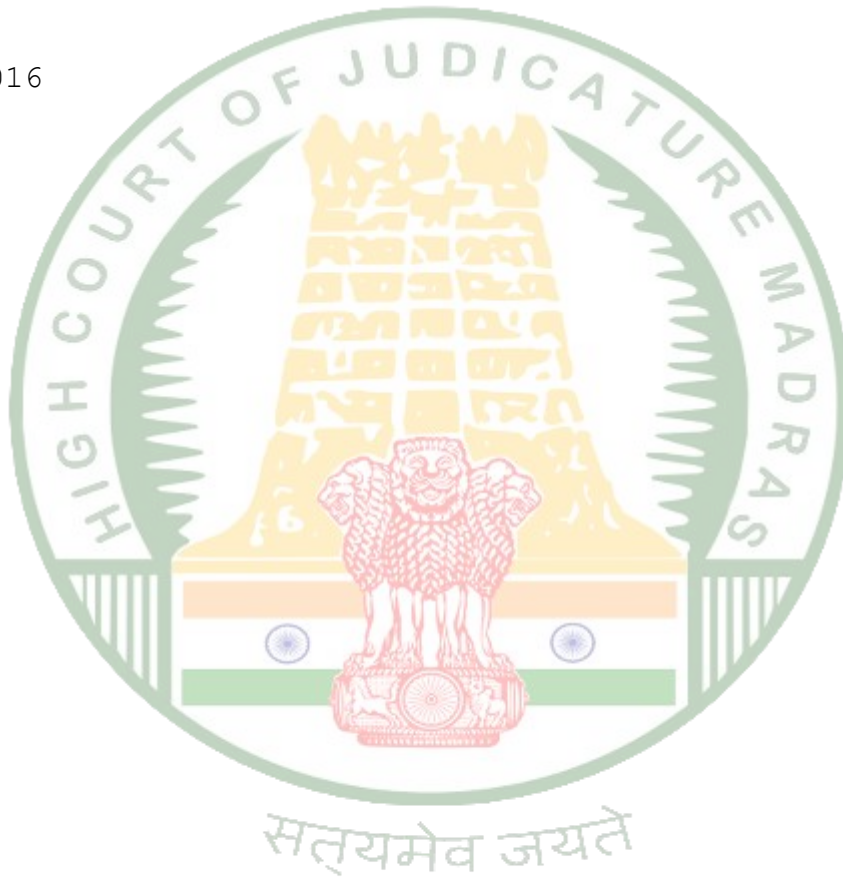
- 1.The Chief Secretary to Govt. of Tamilnadu,
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- 2.The Secretary,
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7.The Director, Central Bureau of
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+1 cc to Government Pleader sr.37978

W.P.No.29155 of 2013

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