

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.4079 of 2017

N.Elangovan

..Petitioner

Vs

1. The Secretary to Government,
Food and Cooperation Department,
Fort St.George,
Chennai - 600 009.
2. The Registrar of Co-operative Societies,
Kilpauk,
Chennai - 600 010
3. The Commissioner,
Vigilance and Anti-Corruption,
Greenways Road, Adayar,
Chennai - 28.
4. Mr.Manimaran,
Joint Registrar of Co-operative Societies (Retired),
Vellore Region, Vellore, Vellore District.
5. Mr.Chandrasekaran,
Deputy Registrar of Cooperative Societies, (Retired)
Tirupathur Circle, Tirupathur,
Vellore District
(Now residing at Iyer Mess,
Near Sona College, Salem, Salem District.)
6. Mr.Mohanasugumaran,
Special Officer (Retired),
Tirupathur Coop. Agricultural and
Rural Development Bank,
Tirupathur, Vellore District.
(Now residing at No.81/398,
Railway Station Road, Tirupathur,
Vellore District)

7. Mr.Anb hazhagan,
Secretary Incharge (Retired)
Tirupathur Cooperative Agricultural and
Rural Development Bank,
Tirupathur, Vellore District.
(Now residing at No.21-A, Bharathi Road,
Tirupathur, Vellore District).

8. P.Vijayalakshmi,
W/o T.S.Parivallal,
No.143, Katcherry Street,
Tirupathur,
Vellore District.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to consider and pass orders on merits by disposing the written representation made by the petitioner on 31.01.2017 within a stipulated time as fixed by this Court.

For Petitioner : Mr.C.Prakasam

For respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader
(Co.op.) for R1 & R2
Mr.K.Dhananjayan,
Special Government Pleader
for R3.

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.L.P.Shanmugasundaram, Special Government Pleader accepts notice on behalf of 1st and 2nd respondents and Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of 3rd respondent.

2. The petitioner was working as a Secretary in Tirupathur Cooperative Agricultural and Rural Development Bank, Tirupathur, Vellore District, and though his date of superannuation was on 31.07.2012 and very belatedly, he was allowed to retire from service during 2014.

3. Mr.C.Prakasam, learned counsel appearing for the petitioner would submit that alleging misdeeds and criminal misconduct on the part of the private respondents, the petitioner has given a complaint to the Vigilance and Anti-Corruption Department, Vellore, and since no action was taken, he filed Cr1.O.P.No.753 of 2011 and this Court, by order dated

04.02.2011 has disposed of the said Crl.O.P. by directing the Inspector of Police, Vigilance and Anti-Corruption Department, Vellore, to call both the parties for enquiry and to complete the enquiry within four weeks from the date of receipt of a copy of the order and despite such direction, so far no action has been taken and apart from that, due to malafide action on the part of the private respondents, though the petitioner's date of superannuation was on 31.07.2012, he was not allowed to retire and made to suffer for nearly two years and very belatedly, he was allowed to retire from service during 2014. In this regard, he also submitted a detailed representation dated 30.10.2016, followed by a reminder dated 31.01.2017, to the respondents 1 to 3 and despite receipt and acknowledgement, no orders have been passed. Hence, came forward to file this writ petition.

4. Per Contra, Mr.K.Dhananjayan, learned Special Government pleader appearing for the 3rd respondent would submit that action has been taken on the petitioner's representation and the petitioner will be communicated the result of the action taken.

5. This Court has considered the rival submissions and perused the typed set of papers.

6. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the Inspector of Police, Vigilance and Anti-Corruption Department, Vellore, to communicate to the petitioner as well as the private respondents 4 to 8, the decision taken as to the allegation made by the petitioner as against the private respondents 4 to 8, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vsi

To

1. The Secretary to Government,
Food and Cooperation Department,
Fort St.George,
Chennai - 600 009.

2. The Registrar of Co-operative Societies,
Kilpauk,
Chennai - 600 010

3. The Commissioner,
Vigilance and Anti-Corruption,
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Chennai - 28.

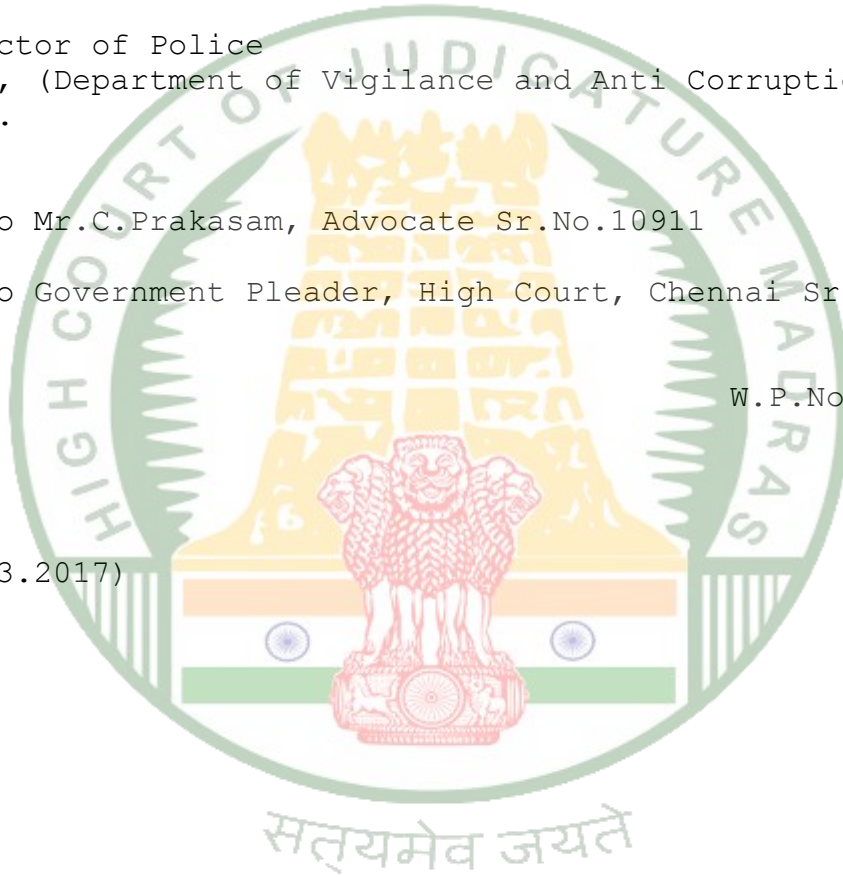
4 Inspector of Police
Vellore, (Department of Vigilance and Anti Corruption
Vellore.

+1 CC to Mr.C.Prakasam, Advocate Sr.No.10911

+1 CC to Government Pleader, High Court, Chennai Sr.No.10863

W.P.No.4079 of 2017

AK(CO)
KP(06.03.2017)



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