

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7461 of 2016

P.Poomalai

..Petitioner

Vs

- 1.The District Collector
Cum Inspector of Panchayats
Namakkal District,
Namakkal.
- 2.The Superintendent of Police
Vigilance & Anti Corruption
Namakkal District
Namakkal.
- 3.The Block Development Officer
Rasipuram Taluk,
Namakkal District
Namakkal.
- 4.The President
Muthukalipatti Panchayat
Rasipuram Taluk
Namakkal District.

- 5.Krishnan
- 6.K.Ramasamy

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned Communication dated 27.01.2016 passed in Na.Ka.No.0034/2016/A3 sent by the third respondent herein to the first respondent herein, quash the same and consequently direct the respondents 1 to 3 herein to initiate action against the respondents 5 and 6 herein on the representation dated 29.01.2016 sent by the petitioner in accordance with law.

For Petitioner : Mr.K.Govi Ganesan

For Respondents 1to3: Mr.S.Gunasekaran

Additional Government Pleader

O R D E R

The Communication dated 27.01.2016, sent by the third respondent to the first respondent is under challenge in this writ petition and further, prayer is sought for direction to respondents 1 to 3 to initiate action against the respondents 5 and 6 based on the representation submitted by the writ petitioner dated 29.01.2016.

2. The communication dated 27.01.2016, is sent by the Block Development Officer to the District Collector and the reasons for rejection of the representation submitted by the writ petitioner has been stated in the said communication.

3. The learned counsel appearing for the writ petitioner made a submission that a representation was also sent by the District Collector on 29.01.2016 and the same has not been considered.

4. The second respondent has filed a counter affidavit stating that the petitioner has made an allegation against the sixth respondent that he had produced false doctor's certificate as if his date of birth is 01.07.1976, instead of his original date of birth namely, 13.06.1965, which was recorded in all the school records. Further, the writ petitioner has alleged that the fifth respondent had given the above appointment to the sixth respondent and the third respondent had given an unfair and illegal reply on 27.01.2016 to the representations submitted by the petitioner on 18.01.2016 and 29.01.2016. The representation submitted by the writ petitioner was sent to the Deputy Inspector, Vigilance and Anti Corruption, Namakkal District and the same was received at the office of Vigilance and Anti-Corruption, Namakkal Office, on 01.02.2016. The representation was further forwarded to the Director, Vigilance and Anti Corruption for further action. Such representation of the writ petitioner dated 29.01.2016, was perused at the Directorate of Vigilance and Anti Corruption. Since there was an allegation of corruption in the representation submitted by the writ petitioner, the representation has been forwarded to the Secretary of Vigilance and Anti Corruption, Chennai dated 01.02.2016, by the Directorate of Vigilance and Anti Corruption for necessary action. Therefore, at the outset, the second respondent has stated that the representation submitted by the writ petitioner on 29.01.2016 was dealt with and forwarded to the Deputy Inspector and Vigilance and Anti Corruption and the action is in progress.

5. Thus, the same shall be processed as early as possible and appropriate enquiry into the allegation of corruption be conducted and appropriate orders shall be passed in this regard

by the respondents 1 to 3, within a period of 12 weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

dna

To

1. The District Collector
Cum Inspector of Panchayats
Namakkal District,
Namakkal.
2. The Superintendent of Police
Vigilance & Anti Corruption
Namakkal District
Namakkal.
3. The Block Development Officer
Rasipuram Taluk,
Namakkal District
Namakkal.
4. The President
Muthukalipatti Panchayat
Rasipuram Taluk
Namakkal District

+ 1 cc to Mr.K. Govi Ganesan, Advocate Sr.64254

+ 1 cc to Mr. Government Pleader SR.64489

W.P.No.7461 of 2016

SAI (CO)
EU(06/10/2017)