



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 19.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P(MD)No.5689 of 2017

and
W.M.P. (MD) .No.4533 of 2017

R.S.Karikala Chozhan

... Petitioner

vs.

1.The State of Tamil Nadu,
Represented by the Chief Secretary,
St.George Fort,
Chennai-9.

2.The Commissioner,
Revenue Administration,
Ezhilagam, Chennai-600 005.

3.The District Collector,
Thanjavur District,
Thanjavur.

4.The Director,
Vigilance and Anticorruption,
293 M.K.N.Road, Alandoor,
Chennai - 600 016.

5.P.Chandrasekaran
District Revenue Officer,
Thanjavur District,
Thanjavur.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 1 to 4 to conduct the transparent enquiry according to the Manual of the Directorate of Vigilance and Anticorruption Government memo No.1356/64-2 Public (Ser.B) dated 08 April 1964 and DVAC Circular Memo No.22761 NAC\$/76 dated 30 September 1976 and on the basis of petitioner's representation dated 27 September 2016 and 04 February 2017.

For Petitioner

: Mr.E.Somasundaram

<https://hcservices.courts.gov.in/hcservices/>

For Respondents

: Mr.M.Govindan,
Spl.Govt.Pleader



O R D E R

(Order of the Court was made by K.K.SASIDHARAN, J.)

The petitioner filed this writ petition to direct the respondents 1 and 2 to conduct enquiry against the fifth respondent by registering a case against him.

2.The fifth respondent is a retired Government servant. The petitioner waited till his retirement to submit representation for taking action. There is no question of issuing a Mandamus to the respondents 1 to 4 to take action against the fifth respondent after his retirement.

3.We therefore did not find any reason to issue a Mandamus in the subject case. However, we make it clear that this order would not stand in the way of the respondents 1 to 4 from taking action against the fifth respondent, in case, there are materials.

4.The writ petition is dismissed with the above observation. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(RTI)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1.The Chief Secretary to Tamil Nadu,
St.George Fort,Chennai-9.

2.The Commissioner,
Revenue Administration,Ezhilagam, Chennai-600 005.

3.The District Collector,
Thanjavur District,Thanjavur.

4.The Director,
Vigilance and Anticorruption,
293 M.K.N.Road, Alandoor,Chennai - 600 016.

+1cc to Special Government Pleader, SR.No.66950

Arul / Skm

MAS/KK/SAR2:02.08.2017:2P-6C

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