



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 06.02.2018**

**CORAM:**

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH**

WEB COPY

**W.P. (MD) No.2283 of 2018**

**and**

**W.M.P. (MD) No.2497 of 2018**

Sankaranarayanan

... Petitioner

vs.

1. The Director of Vigilance &  
Anti-Corruption  
Tamil Nadu State  
Alandur, Chennai
2. The District Collector  
Office of the District Collector  
Virudhunagar District
3. The Superintendent of Police  
Virudhunagar District
4. The Revenue Divisional Officer  
Aruppukottai  
Virudhunagar District
5. The Thasildhar  
Thiruchulli Taluk  
Virudhunagar District
6. The Executive Engineer  
Public Works Department /  
Water Resource Organisation  
Kundaru Division  
Thallakulam, Madurai City.
7. The Inspector of Police  
Vigilance & Anti-Corruption  
Virudhunagar, Virudhunagar District
8. The Inspector of Police  
Kattanoor Police Station  
Virudhunagar District
9. S.Balakrishnan  
Contractor  
S/o.Name not known  
No.2377, Temple Main Road  
Srivilliputhoor, Virudhunagar District

... Respondents



**PRAYER:** Writ petition filed, under Article 226 of the Constitution of India, for issuance of writ of mandamus directing the 1<sup>st</sup> and 7<sup>th</sup> respondents to conduct the preliminary enquiry in regarding the loss of Government Money in Rs.1 Crore 71 Lakhs (1,71,00,000) in the irregularities committed by the 6<sup>th</sup> respondent for Tender Process in Seemai Karuvelam Trees at Kattanoor Tank, Thiruchulli Taluk, Virudhunagar District and consequently directing the 1<sup>st</sup> and 7<sup>th</sup> respondents to take suitable severe action against the 6<sup>th</sup> respondent and his connivance officials.

For Petitioner : Mr.R.Udhayakumar

For Respondents : Mr.C.Mayilvahana Rajendran  
Additional Public Prosecutor for R1 to R8

### O R D E R

The petitioner has given a representation, dated 28.12.2017, to various Authorities alleging that the Revenue Authority and the officials of Public Works Department had failed to auction the Karuvelam Trees in accordance with the rules and therefore, action should be taken against them.

2. On a reading of the representation, dated 28.12.2017, it is seen that the same lacks the necessary material particulars for initiating action against the said officials. In **Secretary, Minor Irrigation & Rural Engineering Services, U.P. and others vs. Sahngoo Ram Arya and another**, reported in (2002) 5 SCC 521, the Honourable Supreme Court has clearly held that a Police investigation cannot be set in motion in order to find out as to whether a person committed an offence inasmuch as that would offend Article 21 of the Constitution of India. That apart the writ of mandamus sought for by the petitioner herein is in the nature of public interest litigation. Therefore, this Court is of the view that this is not a fit case in which the writ of mandamus can be issued.

3. In the result, the writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar



To:

1. The Director of Vigilance & Anti-Corruption  
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Public Works Department /  
Water Resource Organisation,  
Kundaru Division,  
Thallakulam, Madurai City.
7. The Inspector of Police,  
Vigilance & Anti-Corruption,  
Virudhunagar,  
Virudhunagar District.
8. The Inspector of Police,  
Kattanoor Police Station,  
Virudhunagar District.

+1cc to Mr.R.Udhayakumar, Advocate Sr.No.46665

KRK

VB/KK/SAR2/20.02.2018/3P/10C

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