



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P(MD)No.23256 of 2017

Mohammad Kasim

... Petitioner

Vs.

1.The Chief Secretary

(Personnel & Administrative Reforms (N) Department)
Government of Tamil Nadu,
St. George Fort, Chennai - 600 009.

2.The Director of Vigilance & Anti-Corruption,
293, M.K.N.Road, Alandur,
Chennai - 600 016.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents 1 and 2 to display a notice board in every government office and the office of every local body and Government Company or under taking displaying the slogan, "Bribe giving and receiving is an offence. Complaints about demand for bribe may be made in person or over phone to the Directorate of Vigilance and Anti-corruption" by considering the petitioner's representation dated 01.12.2017 within a time stipulated by this Honourable Court.

For Petitioner

: Mr.M.M.Igbal

For Respondents

: Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader

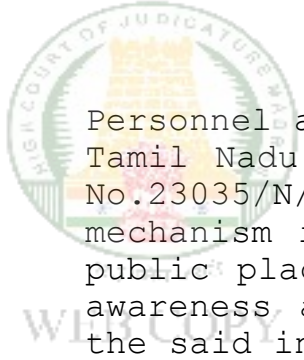
ORDER

(Order of the Court was made by M.SATHYANARAYANAN,J.)

By consent, the Writ Petition itself is taken up for final disposal.

2. Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appears on behalf of the respondents 1 and 2.

3. The petitioner is a practicing Advocate in Madurai Bench of Madras High Court and he came forward to file this Public Interest Litigation stating among other things that though the



Personnel and Administrative Reforms (N) Department of Government of Tamil Nadu had issued G.O.Ms.No.185, dated 10.10.2006 and a Letter No.23035/N/2016-1 dated 14.07.2016, as to the grievance redressal mechanism in display of notice in every office notice board and in public place as visible by the public for the purpose of creating awareness among the public as well as to the evils of corruption, the said instructions remain only on paper and no display whatsoever has been made in the public offices etc. The petitioner in this regard, has also submitted a representation dated 01.12.2017 to the first respondent for proper and effective implementation of the said Government Order as well as the administrative instructions given by the Department of Personnel and Administrative Reforms and despite receipt of acknowledgment, he has not received any response and hence, he came forward to file this Writ Petition.

4. The learned Counsel appearing for the petitioner has drawn the attention of this Court to the said Government Order as well as the letter issued by the Department of Personnel and Administrative Reforms and would submit that though the concerned Officials are expected to follow the said instructions, the implementation of the same remains only on paper and specifically drawn the attention of this Court to the G.O. Ms.No.185, dated 10.10.2006 and the Letter of the said Department dated 14.07.2016 and would submit that though a website is also created along with phone numbers and with fax numbers for lodging complaint, it is virtually defunct and the persons, who are aggrieved by the demand of illegal gratification, though inclined to lodge complaints, cannot do so and on account of the same, prays for appropriate directions.

5. Per contra, Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing on behalf of the respondents, on instructions, would submit that the Government Order as well as the letter of Personnel and Administrative Reforms (N) Department, Secretariat, Chennai-600 009 would be implemented in letter and spirit.

6. This Court has considered the rival submissions and perused the materials placed before this Court.

7. The Personnel and Administrative Reforms (N) Department of Government of Tamil Nadu in G.O.Ms.No.185, dated 10.10.2006, speaks about the display of notice board in every public office and also in public places as to the evils of corruption and the grievance redressal mechanism available to the aggrieved persons, who intend to lodge complaints in the event of illegal gratification / bribe is being demanded. The said Government Order also contains annexure with telephone numbers, fax numbers and addresses.

8. The Personnel and Administrative Reforms (N) Department of Government of Tamil Nadu, after referring the above stated Government Order, has also issued a letter dated 14.07.2016 reiterating the said Government Order and also provides a website www.dvac.tn.gov.in with



the following phone numbers and fax numbers for lodging the complaint:

Phone No: 044-2231 0989
044-2232 1090
044-2232 1085
044-2234 2142
Fax No. : 044 2232 1005

9. The Departments at Secretariat in turn shall issue necessary instructions in this regard to the Heads of Departments / Local Bodies / Public Sector Undertaking under their administrative control as to the said order and administrative instruction.

10. Therefore, the said Departments / Local Bodies / Public Sector Undertaking are under mandate to comply with the said Government Order as well as the said letter, in letter and spirit.

11. The primordial grievance expressed by the petitioner is that despite the said order and the instructions, which in place, it has not been implemented so far.

12. This Court, taking into consideration the above facts and circumstances, directs the first respondent to prevail upon the Heads of Departments, Local Bodies and Public Sector Undertaking comes under the administrative control of Government of Tamil Nadu to comply with the G.O.Ms.No.185 of the Personnel and Administrative Reforms (N) Department of Government of Tamil Nadu, dated 10.10.2006 as well as the Letter No.23035/N/2016-1 of the said Department, dated 14.07.2016 in letter and spirit and also see that the said instructions have been scrupulously and strictly complied with.

13. The Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

1.The Chief Secretary

(Personnel & Administrative Reforms (N) Department)
Government of Tamil Nadu,
St. George Fort, Chennai - 600 009.

2. The Secretary to the Government,

Personnel and Administrative Reforms (N) Department, Secretariat,
Chennai-600 009.

3.The Director of Vigilance & Anti-Corruption,

293, M.K.N.Road, Alandur, Chennai - 600 016.

+One cc to The Special Government Pleader, SR.No.41494

+One cc to Mr.M.M.Iqbal, Advocate, SR.No.41064

ssl/rm