



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2020

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD)No.2400 of 2020

WEB COPY
Arumugavel

: Petitioner

vs.

1.The Director,
Directorate of Vigilance and Anti Corruption,
Alandu, Chennai.

2.The Engineer in Chief,
Public Works Department (WRD),
Chepauk, Chennai.

3.The Chief Engineer (WRD),
Public Works Department,
Madurai.

4.Suresh Kumar,
Assistant Engineer (WRD),
Public Works Department,
Ramanathapuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the third respondent to take appropriate action on the representation given by the petitioner, which was forwarded by the respondents 1 and 2 for taking appropriate action, dated 04.09.2019 and 13.11.2019 within the period that may be stipulated by this Court.

For Petitioner

:Mr.R.Gandhi

For R1 to R3

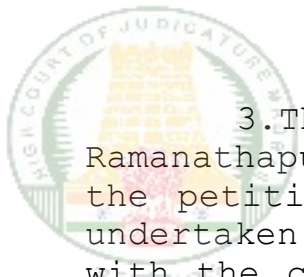
:Mr.A.Thiyagarajan

Government Advocate

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus to direct the third respondent to take appropriate action on the representation given by the petitioner, which was forwarded by the respondents 1 and 2 for taking appropriate action, dated 04.09.2019 and 13.11.2019, within the period that may be stipulated by this Court.

2.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.



3.The petitioner is the native of Aapanoor Village, Ramanathapuram District and he is an agriculturalist. The case of the petitioner is that the work of desilting the water body was undertaken by the fourth respondent in the petitioner's village with the cost of Rs.58,00,000/-. It is stated that the work was not done and that though the said work has to be done through the Agricultural Association of the village, the entire money allocated was swallowed by the fourth respondent in collusion with some officials without doing any work.

4.It is in the said circumstances, alleging financial irregularities and misappropriation of huge funds allotted under "Kudimaramathu Scheme" in Periyakanmai, the petitioner has submitted a representation to the first respondent. It is unfortunate to note that the representation of the petitioner addressed to the first respondent was forwarded to the second respondent and the second respondent has forwarded the same to the third respondent. When serious allegations have been made against the officials in carrying out "Kudimarathu" and the allegation is that the entire fund allotted in the work was swallowed by some of the officials without doing any work on ground, the first respondent has to hold an enquiry by himself and not to delegate such matters to the higher officials of the fourth respondent.

5.In that view of the matter, this Writ Petition is allowed and the first respondent is directed to consider the representation of the petitioner and to hold an enquiry independently without involving the respondents 2 and 3 and to take necessary steps or further action depending upon the outcome of the enquiry. This exercise has to be done within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to submit all the records or statements of villagers, so that the first respondent will be in a position to conduct appropriate enquiry. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AD I)

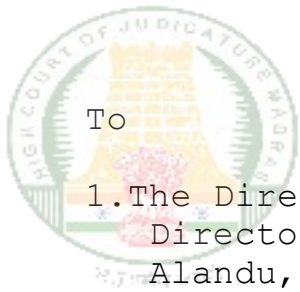
// True Copy //

/ /2020

Sub Assistant Registrar (CS)

cmr

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



To

1.The Director,
Directorate of Vigilance and Anti Corruption,
Alandu, Chennai.

2.The Engineer in Chief,
Public Works Department (WRD),
Chepauk, Chennai.

3.The Chief Engineer (WRD),
Public Works Department,
Madurai.

+1 CC to SPL GP (SR-5579[F] dated 11/02/2020)

+1 CC to MR.R.GANDHI, Advocate (SR-5565[F] dated 11/02/2020)

W.P.(MD)No.2400 of 2020
10.02.2020

KM/(20.02.2020) 3P 6C