



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2020

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
and
THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

**W.P. (MD) No.4288 of 2020
and
W.M.P. (MD) No.3612 of 2020**

S.Tirumalaikumar

... Petitioner

-vs-

1.The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St.George, Chennai

2.The Commissioner of Municipal Administration
Chepauk, Chennai-600 005

3.The Director
Vigilance and Anti Corruption
No.293, MKN Road, Alanthur
Chennai

4.The Deputy Superintendent of Police
Vigilance and Anti Corruption
Tenkasi District, Tenkasi

5.The Commissioner
Puliyangudi Municipality
Puliyangudi
Tenkasi District

6.Krishnamoorthi
Commissioner of Kadayanallur Municipality
Kadayanallur
Tenkasi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 to initiate appropriate enquiry against the 6th respondent for the various irregularities and misappropriation committed by him during his tenure as Commissioner in the office of the 5th respondent and



thereby to complete the said enquiry within the time stipulated by this Court by considering the petitioner's representation dated 06.02.2020.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader for R1 to R4
Mr.M.Rajarajan
Government Advocate for R5

O R D E R

[Order of the Court was made by M.DURAI SWAMY, J.]

The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondents 1 to 4 to initiate appropriate enquiry against the sixth respondent for the various irregularities and misappropriation committed by him during his tenure as Commissioner in the office of the fifth respondent and thereby, to complete the said enquiry within the time stipulated by this Court, by considering the petitioner's representation dated 06.02.2020.

2. The learned counsel appearing for the petitioner submitted that though the petitioner has given a representation on 06.02.2020, the respondents 2 and 3 have not considered the same so far.

3. Mr.V.R.Shanmuganathan, learned Special Government Pleader, who takes notice for the respondents 1 to 4 and Mr.M.Rajarajan, learned Government Advocate, who takes notice for the fifth respondent, submitted the respondents 2 and 3 may be directed to consider the petitioner's representation and pass orders, after giving due opportunity of hearing to the sixth respondent.

4. Having regard to the submissions made by the learned counsel appearing on either side and taking into consideration the limited prayer sought for by the learned counsel appearing for the petitioner, without expressing any opinion with regard to the merits of the case, we direct the respondents 2 and 3 to consider the petitioner's representation, dated 06.02.2020 and pass orders, after giving due opportunity of hearing to the sixth respondent, as expeditiously as possible.



5. With these observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (crl.side)

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/ /2020

Sub Assistant Registrar(CS)

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To:

- 1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Fort St.George, Chennai.
- 2.The Commissioner of Municipal
Administration,
Chepauk, Chennai-600 005.
- 3.The Director,
Vigilance and Anti Corruption,
No.293, MKN Roadm Alanthur,
Chennai.
- 4.The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Tenkasi District, Tenkasi.
- 5.The Commissioner,
Puliangudi Municipality,
Puliangudi, Tenkasi District.

+1 CC to Mr.M.RAJARAJAN, Advocate (SR-9302[F] dated 28/02/2020)
+1 CC to Mr.G.PRABHU RAJADURAI, Advocate (SR-9480[F] dated
02/03/2020)
+1 CC to SPL.GP (SR-9642[F] dated 02/03/2020)

W.P. (MD) No.4288 of 2020

and

W.M.P. (MD) No.3612 of 2020

28.02.2020

MK (10.03.2020) 3P 9C