

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.05.2020**

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CORAM**THE HONOURABLE MR. JUSTICE M.DHANDAPANI****W.P. (MD) No. 6256 of 2020**

S.Ramasundaramani

.. Petitioner

Vs.

1.The Director,
Vigilance and Anti Corruption,
Chennai - 600 016.

2.The Commissioner of Municipal Administration,
Chennai.

3.The Regional Director of Municipal Administration,
Tirunelveli - 2.

4.The Inspector of Police,
Vigilance and Anti Corruption,
Tirunelveli Detachment,
Tirunelveli.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus by directing the 1st and 4th respondents to hold an enquiry based on the petitioner's complaint dated 29.04.2020 and consequently proceed further therefrom as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : Mr.R.Anand

For Respondents : Mr.K.K.Ramakrishnan
Additional Public Prosecutor**ORDER**

This writ petition has been filed praying for issuance of a Writ of Mandamus to direct the 1st and 4th respondents to hold an enquiry, based on the petitioner's complaint, dated 29.04.2020 and consequently proceed further therefrom, as expeditiously as possible.

2.The petitioner is working as a Clerk in Ambasamudram Municipality. Previously, when he was working as a Revenue Inspector



at Kulithurai Municipality, for administrative reasons, he was ordered to be transferred from Kulithurai to Ambasamudram. However, he was not allowed to take charge in Ambasamudram at the instigation of one Mr.V.Jinnah, who is in-charge of Commissioner, Ambasamudram Municipality and certain allegations were made against the said Mr.V.Jinnah, in-charge Municipal Commissioner, Ambasamudram. Hence, the petitioner made a complaint against him to the official respondents as well as the Director of Vigilance and Anti Corruption, Chennai. Sine there is no action on the complaint made by the petitioner, the present writ petition has been filed with the above said prayer.

3.Mr.R.Anand, learned counsel appearing for the petitioner would submit that though the petitioner is a Clerk and the allegations were made against the Commissioner of the same Municipality, admittedly, the Commissioner is not added as one of the party in the present writ petition. The petitioner made a complaint only against the official respondents as well as the Director of Vigilance and Anti Corruption, Chennai. Hence without expressing any opinion in the complaint made by the petitioner, the petitioner may be directed to make a representation to the Regional Director of Municipal Administration, Tirunelveli, the third respondent herein, within a period of one week from the date of receipt of a copy of this order. On such representation, the third respondent may conduct an enquiry and if any offence / irregularities made out, the third respondent may take appropriate action against the officials respondents.

4.Mr.K.K.Rama Krishnan, learned Additional Public Prosecutor, appearing for the official respondents submitted that already the petitioner's representation was forwarded to the Tamil Nadu Local Bodies Ombudsman for further action under the Tamil Nadu Local Bodies Ombudsman Act 2014. However, the 4th respondent have no objection to permit the petitioner to make a representation to the third respondent for appropriate orders.

5.Considering the facts and circumstances of this case and the submissions made by the counsel on either side, this Court, without expressing any opinion on the merits of the case, directs the petitioner to make a representation to the third respondent on or before 15.06.2020. On receipt of such representation, the third respondent shall conduct an enquiry and after giving opportunity to the concerned parties including Mr.V.Jinnah, in-charge Commissioner to the Ambasamudram Municipality and if any offence / irregularities made out, the third respondent may take appropriate action against the officials, including the petitioner. The said exercise shall be completed within a period of eight weeks from the date of receipt of representation from the petitioner.



6. With the above direction this writ petition is disposed of.
No costs.

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Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

To

1. The Director, Vigilance and Anti Corruption,
Chennai - 600 016.
2. The Commissioner of Municipal Administration,
Chennai.
3. The Regional Director of Municipal Administration,
Tirunelveli - 2.
4. The Inspector of Police, Vigilance and Anti Corruption,
Tirunelveli Detachment, Tirunelveli.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

W.P. (MD) No. 6256 of 2020
28.05.2020

SPU(09.06.2020) 3P-6C