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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.06.2021

Coram

The Honourable Mr. Justice V. PARTHIBAN

W.P.No.11596 of 2021
and W.M.P.Nos.12345, 12347 & 12348 of 2021

S.Santhanakrishnan

...Petitioner

Versus

- 1.The Revenue Secretary,
Revenue Department,
St.George Fort,
Chennai - 09.
- 2.The District Collector,
Cuddalore District - 607 302.
- 3.The Revenue Divisional Officer,
Cuddalore Division and District - 607 302.
- 4.The Director,
Vigilance and Anti Corruption,
No.21, Kumaraswamy Raja Salai,
R.A.Puram, Chennai - 28.
- 5.The Inspector of Police,
Vigilance and Anti Corruption,
Cuddalore.

6.P.Jayaramarajadurai @ Jayasamarajadurai

...Respondents

PRAYER : This Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari to quash the fourth respondent notice in PE 235/2018/REV/CL in order dated on 26.02.2019; to quash the fifth respondent summons in PE 235/2018/REV/CL in order dated 29.08.2019 and to quash the FIR in V & AC Cr.1/2021 registered by the fifth respondent dated 12.01.2021.

For Petitioner : Mr.B.N.Chandrasekar



O R D E R

When the matter was called twice on 04.06.2021, there was no representation for the petitioner. Hence, the matter was directed to be listed under the caption, "Adjourned Admission" on 08.06.2021 i.e., today. Accordingly, today, the case is listed under the caption, "Adjourned Admission". Even today, when the matter is called, there is no representation for the petitioner.

2. The case of the petitioner is that he is the President of Tamil Nadu Village Administration Officers Association and was working as Village Administrative Officer. In 2011, the entire Village was affected by Thane Cyclone which is located in Cuddalore District and crops, paddy, trees, houses were extensively damaged by the cyclone. The petitioner being a Village Administrative Officer, was involved in the distribution of Cyclone Relief Fund to the eligible persons of the Village.

3. In the distribution of the Cyclone Relief Fund, there were complaints and an enquiry was conducted and a writ petition was also filed before this Court in W.P.No.31725 of 2018 and a direction was issued by an order dated 01.03.2019. Subsequently, the fifth respondent issued summons to the petitioner to appear on 29.08.2019 for enquiry and finally, it resulted in the registration of F.I.R dated 12.01.2021, which is a subject matter of challenge in this writ petition.

4. This Court is unable to appreciate as to how the F.I.R could be challenged in the writ proceedings. The grounds raised in the affidavit filed in support of the writ petition and the facts stated therein, do not cohesively project the case of the petitioner, calling for intervention of this Court, towards quashing of the F.I.R., assuming the present writ petition is maintainable for the sake of arguments.

5. Even otherwise, how could this Court can intervene at the very preliminary stage of quashing of the F.I.R on the basis of the self serving averments of the petitioner herein. If this Court were to quash the FIR at the instance of the petitioner, it would amount to accepting the innocence of the petitioner on the basis of his affidavit alone. Such determination is not open to this Court under Article 226 of the Constitution of India. In any case, the writ petition for challenging the F.I.R is not maintainable and such a writ petition is completely ill-conceived and cannot be entertained even for a second.

6. Accordingly, this writ petition stands dismissed. No



costs.
closed.

Consequently, connected miscellaneous petitions are

Sd/-

Assistant Registrar(CS-VII)

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//True Copy//

Sub Assistant Registrar

gsk

To

- 1.The Revenue Secretary,
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Cuddalore.

+1cc to the Government Pleader, S.R.No.27607

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SKY (CO)
CB(19/07/2021)