



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 18270 of 2021

R.Parthiban

.. Petitioner

Versus

1.The Chief Secretary to Government
Secretariat, Government of Tamil Nadu,
Chennai 600 009.

2.State of Tamil Nadu
represented by its Principal Secretary to Government,
Adidraavidar and Tribal Welfare Department,
Secretariat, Chennai 600 009.

3.The Director, Directorate of Vigilance and
Anti Corruption,
No.293, MKN Road, Alandur,
Chennai 600 016

.. Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to take immediate and appropriate legal action on the petitioner's representation dated 14.3.2021 addressed to the 1st respondent with copies marked to 2nd and 3rd respondents and the Reminder dated 9.8.2021 addressed to the 1st respondent, within a reasonable time frame fixed by this Court.

For Petitioner : Mr. P. Munusamy

For Respondents : Mr. Stalin Abhimanyu
Government Advocate

ORDER

The prayer made in this writ petition is to issue a Writ of Mandamus directing the respondents to take action on the petitioner's representation dated 14.3.2021 and the Reminder dated 9.8.2021, within a reasonable time frame fixed by this Court.



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2. According to the petitioner, he belongs to Adi Dravidar Community and registered as a Grade-I Contractor in Tamil Nadu Adi Dravidar Housing and Development Corporation Limited. He submitted a detailed representation on 14.3.2021 to first respondent mentioning about the irregularities and illegal acts committed by the erstwhile Managing Director of the Tamil Nadu Adi Dravidar Housing and Development Corporation Limited (TAHDOC), who was holding the office between 1.12.2019 to 15.6.2021. Such irregularities were committed by the said Managing Director in connection with award of various tenders, which resulted in loss of several hundred crores to the Government. He marked the copies of his representation to the second and third respondents enclosing complete proof for all his contentions. Though the said representation was received by the respondents on 15.3.2021, no action has been taken thereof, hence a reminder was sent to the first respondent on 9.8.2021 and the same was received by him on 10.08.2021, but till date no action has been taken. Therefore, the petitioner has filed the present writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate, appearing for the respondents.

4. The petitioner has levelled certain allegations against the erstwhile Managing Director of the Tamil Nadu Adi Dravidar Housing and Development Corporation Limited and such representation was placed before the first respondent and copies marked to the other respondents. However, it is contended that the representations sent by the petitioner has not been acted upon.

5. It is the specific submission of Mr. Stalin Abhimanyu, learned Government Advocate appearing for the respondents that the petitioner, with a malafide intention, has been repeatedly filing writ petitions raising various allegations against the officials of the Department.

6. A status report was filed by the 3rd respondent, wherein, in paragraph 5, it is stated as follows;

'5. I respectfully submit that, after receipt of the petition sent by the petitioner to the Directorate of Vigilance and Anti-Corruption, Chennai separate petition number 8703/2021/PUB/CCHQ was assigned and Factual Verification was done as per the guidelines. On various occasions, the officials of DVAC tried to contact the petitioner to make Factual Verification and also to confirm the authenticity and origin of the petition. However, this petitioner was unavailable for



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enquiry and inspite of repeated phone calls not appeared in person. Hence, the petition was forwarded to the Principal Secretary to Government, Public (S.C.) Department, Secretariat, Chennai-9 vide letter in Petn. No. 8703/2021/PUB/CCHQ, dated 16.08.2021 of the DVAC, who is in a better position to make proper disposal of the petition by scrutinising the relevant documents available in the department.'

7. In reply, the learned counsel appearing for the petitioner submits that the petitioner has not received any communication from the third respondent for his appearance. However he undertakes that the petitioner would appear before the 3rd respondent as and when called for enquiry.

8. To give a quietus to this issue, the petitioner is hereby directed to appear before the 3rd respondent on 16.09.2021 by 10.30 a.m. and on such appearance, the petitioner shall also produce the copy of the representation dated 14.3.2021 with necessary enclosures and documents along with a copy of this order. On such appearance, the third respondent shall consider the representation of the petitioner and pass appropriate orders on the same within a period of six weeks from the date of receipt of a copy of this order.

9. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

msr/rsh

To

- 1.The Chief Secretary to Government,
The Secretariat, Government of Tamil Nadu,
Chennai 600 009.
- 2.The Principal Secretary to Government,
Adidravidar and Tribal Welfare Department,
Secretariat, Chennai 600 009.



3.The Director,
Directorate of Vigilance and Anti Corruption,
No.293, MKN Road, Alandur,
Chennai 600 016.

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+2ccs to Mr.P.Munusamy, Advocate Sr No.44431
+1cc to Government Pleader Sr No.44594

WP No.18270 of 2021

MG (CO)
PR (09/09/2021)