



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.143 of 2020

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C.Angappan

... Petitioner

vs.

- 1.The Director,
Vigilance & Anti Corruption Wing,
No.293, M.K.Salai,
Alandur, Chennai.
- 2.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Race Course Road, Trichy.
- 3.The Inspector of Police,
Vigilance and Anti Corruption Wing,
Race Course Road, Trichy.
- 4.The Principal,
Periyar EVR College,
Periyar EVR College Campus,
Trichy City.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 herein to take appropriate action on the basis of the communications issued by the first respondent herein, dated 24.05.2019, 14.06.2019, 17.06.2019 and 20.06.2019 in connection with the petitioner's petition, dated 18.05.2019 and 26.05.2019 respectively within the time stipulated by this Court.

For Petitioner	: Mr.B.Jameel Arasu
For RR 1 to 3	: Mr.K.S.Selva Ganesan Government Advocate

ORDER

The petitioner has filed the present Writ Petition, to direct the respondents 1 to 3 to take appropriate action, on the basis of the communications issued by the first respondent, dated 24.05.2019,

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



14.06.2019, 17.06.2019 and 20.06.2019, in connection with the petitioner's petition, dated 18.05.2019 and 26.05.2019 respectively.

2. According to the petitioner, he was appointed as Office Assistant in the fourth respondent College on 13.09.2007 on daily wage basis. The fourth respondent School sent a proposal, dated 24.05.2010 to the Director of Collegiate Education to regularize the service of the petitioner. While so, on 02.03.2018, the fourth respondent College issued notification calling for an application to fill up two posts of Office Assistants. The petitioner also applied for the said post. The Principal and his Subordinates, without following the procedure and without calling all the eligible candidates including the petitioner, conducted interview only for two candidates of their choice on 24.02.2018 ignoring the other candidates, who applied for the said post. The petitioner filed W.P (MD)No.1160 of 2018 for a direction to consider his application also and appoint him as Office Assistant and the said writ petition is pending. On receiving notice in the said Writ Petition, the fourth respondent appointed two candidates of their choice. The petitioner gave a representation, dated 26.05.2019, to conduct detailed investigation. On receiving the representation, the first respondent has sent a communication, dated 20.06.2019, stating that necessary action has been initiated based on the complaint of the petitioner. Subsequently there was no progress in the enquiry. Hence, the petitioner has come out with the present Writ Petition.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3 and perused the materials available on record.

4. Though the Writ Petition was filed in the year 2020, the respondents have not chosen to file the counter-affidavit.

5. Mr. K.S. Selva Ganesan, learned Government Advocate appearing for the respondents 1 to 3 submitted that the complaint sent by the petitioner was forwarded to the Director of Collegiate Education and the same is pending and they will conduct enquiry and pass orders.

6. Considering the above submissions of the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3 and the communication of the first respondent, dated 20.06.2019, the first respondent is directed to conduct enquiry, as per the communication, dated 20.06.2019, within a period of eight weeks from the date of receipt of a copy of this order and the first respondent shall file the report within a period of two weeks thereafter.



7. With the above direction, this Writ Petition is disposed of.
No costs.

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// True Copy //

Sd/-

Assistant Registrar (Records)

/ /2021

Sub Assistant Registrar(CS)

ps

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Director,
Vigilance & Anti Corruption Wing,
No.293, M.K.Salai,
Alandur
Chennai.
2. The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Race Course Road,
Trichy.
3. The Inspector of Police,
Vigilance and Anti Corruption Wing,
Race Course Road,
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+1 CC to M/s.SPL GP (SR-19778[F] dated 21/06/2021)

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KK(30.06.2021) 3P 5C