



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2021

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS. JUSTICE S.ANANTHI**

W.A. (MD)No.617 of 2021

D.Ponnappan :Appellant/Petitioner
Vs.

1.The Director,
Vigilance & Anti Corruption
Chennai.

2.The District Collector
Tirunelveli District. : Respondents/Respondents

PRAYER: Appeal filed under Clause 15 of the Letters Patent against the order of this Court in W.P.(MD) No.18886/2020 dated 10.02.2021.

Prayer in WP(MD). 18886/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 2nd Respondent to take appropriate legal action on the petitioner's representation dated 18-03-2020 based upon the proceedings issued by the 1st respondent vide Petn.No.3484/2020/REV/TI dated 27-05-2020 within the time frame as fixed by this Honourable Court and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

For Appellant : Ms.T.Sathya Selvi

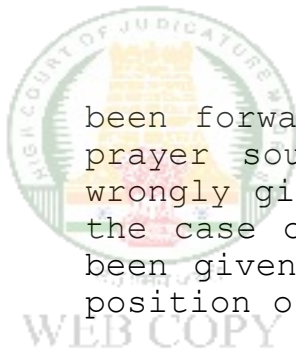
For Respondents : Mrs.J.Padmavathi Devi
Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This appeal has been preferred by the appellant against the order of the learned single Judge, who dismissed the writ petition, inter alia holding that unless the patta allegedly given by the officials have not been cancelled, there is no need for further action against him.

2.The learned counsel for the appellant submitted that on the complaint given, the Director of Vigilance and Anti Corruption, in and by the communication dated 27.05.2020, has stated that it has



been forwarded to the respondent No.2 for appropriate action. The prayer sought for is different. Mere cancellation of the patta wrongly given was not the issue before the learned single Judge. In the case on hand, patta which stands in the name of the Trust has been given in the name of named individual contrary to the settled position of law.

3. The reasoning of the learned Judge cannot be sustained. It appears that the complaint made by the appellant is pending consideration with the respondent No.2 as could be seen from the communication of the respondent No.1 dated 27.05.2020. In such view of the matter, while setting aside the order of the learned single Judge, we only direct the respondent No.2 to look into the same and take appropriate action in accordance with law.

4. The writ appeal stands ordered accordingly. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

To

1.The Director,
Vigilance & Anti Corruption
Chennai.

2.The District Collector
Tirunelveli District.

+1 CC to M/s.T.SATHYASELVI, Advocate (SR-12881[F] dated
23/03/2021)

+1 CC to M/s.SPL GP (SR-12959[F] dated 23/03/2021)

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MJ(CO)

KK(09.04.2021) 2P 5C