



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.10938 of 2021

E.Rajamani

... Petitioner

vs.

1.The Principal District Judge,
Tirunelveli.

2.The Special Court of Anti-Corruption Cases,
Tirunelveli.

3.E.Subramanian

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to conclude the departmental enquiry and take necessary action against the third respondent in accordance with law.

For Petitioner

: Mr.S.M.Mohan Gandhi

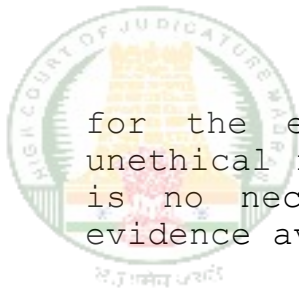
ORDER

The petitioner has filed the present Writ Petition, to direct the respondents 1 and 2 to conclude the departmental enquiry and take necessary action against the third respondent.

2.From the materials available in the typed set of papers, it is seen that the petitioner has given a complaint against the third respondent, who is working as Office Assistant in the Principal District Court, Tirunelveli. Further, according to the petitioner, the third respondent has produced fake certificate and got appointment and he has also gave complaint to the police.

3.Heard the learned counsel appearing for the petitioner and perused the materials available on record.

4.From the materials available on record, it is seen that the complaint is taken on file and trial is being conducted by the second respondent. As far as the complaint given to the Assistant Registrar (Per. Administration), Madurai Bench of Madras High Court, Madurai, the same was forwarded to the first respondent and the same is being enquired into. The petitioner was examined in a criminal case as well as by the first respondent. At this stage, the petitioner has come out with the present Writ Petition stating that



for the enquiry, he appeared and he was cross-examined in an unethical manner by the counsel for the third respondent and there is no necessity for further enquiry, as all the documents and evidence available before the respondents 1 and 2.

5.The documents and evidence available with the respondents 1 and 2 are enough to prove that the third respondent produced fake certificate and got appointment. But, the petitioner is not entitled to such a relief as the first respondent is conducting the enquiry on the complaint given by the petitioner to the Assistant Registrar (Per.Admin), Madurai Bench of Madras High Court, Madurai and the second respondent is conducting trial in the criminal case. It is for the respondents 1 and 2 to examine any further witness or to pass orders based on the evidence already let in and documents available before them. This Court cannot issue any direction to the respondents 1 and 2 to conclude the proceedings with available evidence.

6.With the above reasons, the Writ Petition is devoid of merits and the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /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 Principal District Judge, Tirunelveli.

2.The Special Court of Anti-Corruption Cases, Tirunelveli.

W.P(MD)No.10938 of 2021

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