



WEB COPY

W.P.(MD) No.10418 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.(MD) No.10418 of 2021

Abdulla

... Petitioner

Vs

1.The Chief Secretary of Tamil Nadu,
Secretariat Office,
Secretariat,
Chennai - 600 009.

2.The Commissioner,
Tamil Nadu Vigilance Commission,
Secretariat,
Chennai - 600 009.

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

4.V.Dakshinamoorthy, I.A.S.

5.Shanmugam

6.Thamarai

7.Nazar

8.Nedunchelian

9.D.Veerapandian

10.Sankar

11.Ayyappan

12.Amuthan

13.Sundarampillai

14.Periyasamy

15.Annamalai

16.Kanagadhara

17.Sankaralingam

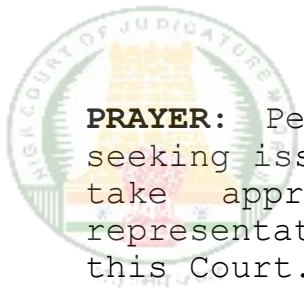
18.S.Dhamodharan

19.Agri S.M.Krishnamoorthy

20.Mr.Murugesan

(Respondent Nos.4 to 20 are impleaded vide
order dated 26.10.2021 made in
in W.M.P.(MD)No.9187 of 2021)

... Respondents



PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondents to take appropriate action on the basis of the petitioner's representation dated 10.05.2021 within a stipulated time as fixed by this Court.

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For Petitioner : Mr.G.Prabhu Rajadurai for
Mr.A.Joel Paul Antony
For Respondents : Mr.R.Shanmugasundaram,
Advocate General,
Assisted by Mr.P.Thilakkumar,
Government Pleader for R1 to R3
Mr.Ganapathi Subramanian for R8,R12&R13
Mr.V.Kathirvelu, Senior Counsel
for Mr.K.Prabhu for R4
Mr.Ajmal Khan, Senior Counsel for
M/s.Ajmal Associates for R7
Mr.C.Mayilvahana Rajendran for R18&R19
Mr.S.Vijaya Ganesh for R11 & R16
Mr.C.Masilamani...Mani for R17
Mr.G.Thalimutharasu for R20

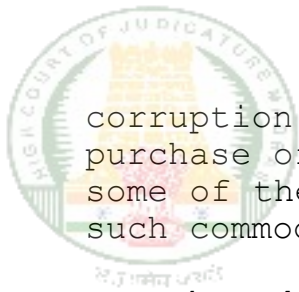
ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The petitioner is a regular visitor in this Court and in the present petition vague and unsubstantiated allegations, based on surmises and conjectures, had been levelled against several Government officials without any specific material against any one person.

2.An affidavit has been affirmed by the third respondent Director of the Vigilance and Anti-corruption Department of the State. In such affidavit it is stated, *inter alia*, that "the factual verifications disclosed that all the allegations are vague, exaggerated and bald in nature absolutely non-verifiable and without any proof to substantiate the allegations". The affidavit also refers to 101 irrelevant documents, including copies of previous petitions, that had been relied upon to suggest that the respondents are engaged in mass-scale wrongdoing and misappropriation of funds.

3.The petitioner has a chequered career in filing petitions in public interest. While the petitioner claims that pursuant to some previous petitions FIRs came to be lodged against the concerned government officials, there is at least one order passed on a previous petition where the Court was constrained to impose costs on the petitioner for the reckless invocation of the jurisdiction. In the present case, advocate for the petitioner was required by this Court to indicate the best material in support of his allegations of



corruption. To this, counsel for the petitioner refers to the purchase of some material at a cost of about Rs.4,400/- per unit by some of the respondents herein whereas, according to the petitioner, such commodity was available on Amazon at nearly half the price.

4.To begin with, the price at which any product is available on the online site of Amazon may not be a proper yardstick to assess whether in the acquisition of a similar product by a government body there has been any wrongdoing. It is nobody's case that the government officials are permitted to obtain products from Amazon, where the quality, quantity and the availability may not be ascertained before hand. Though there is also an online portal for government entities to buy therefrom, which is supported by the Union Government, not all State Governments subscribe to such online purchase methods.

5.Since the allegations in the present petition appear to be vague and unsubstantiated and responsible officers have gone through the allegations and have filed a report saying that the allegations are vague and unsubstantiated with little or no material in support, the present petition cannot be carried forward.

6.W.P(MD)No.10418 of 2021 is disposed of without any order. The petitioner is cautioned to be careful when the petitioner invokes this jurisdiction in public interest in future. The petitioner ought to exercise extreme restraint and when allegations of corruption or wrongdoing are levelled, the fullest particulars with material in support ought to be indicated for the Court to take any cognizance thereof. For the present case, no costs are imposed on the petitioner.

Sd/-

Assistant Registrar (AE)

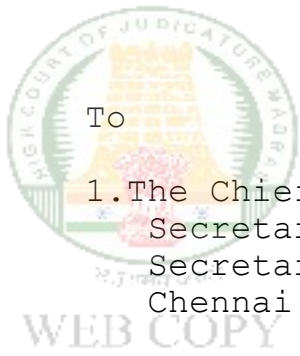
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/ /2021

Sub Assistant Registrar(CS)

ps/vsm

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 Chief Secretary of Tamil Nadu,
Secretariat Office,
Secretariat,
Chennai - 600 009.

2.The Commissioner,
Tamil Nadu Vigilance Commission,
Secretariat,
Chennai - 600 009.

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

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-32760[F] dated 27/10/2021)

+1 CC to M/s.K.PRABHU, Advocate (SR-32808[F] dated 27/10/2021)

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-32802[F] dated 27/10/2021)

+1 CC to M/s.SPL.GP (SR-32830[F] dated 27/10/2021)

W.P.(MD) No.10418 of 2021
26.10.2021

PS (CO)

RS/PM (09.11.2021) 4P 8C