



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2021

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

WEB COPY

W.P. (MD)No.12158 of 2021 and
WMP (MD) No.9577 of 2021

Vai Arunachalam

...Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Tenkasi District,
Tenkasi.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Tenkasi District,
Tenkasi.

3.The District Educational Officer,
Tenkasi District,
Tenkasi.

4.The Director of School Education,
Office of the Director,
Nungampakkam College Road,
Chennai.

5.D.C.Wilson Sathyaraj

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent i.e the Superintendent of Police, Office of the Superintendent of Police, Tenkasi District, Tenkasi to initiate appropriate legal action under the provision of Prevention of Corruption Act against the fifth respondent for the promise of appointment in an Educational Institution for bribe forthwith.

For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor.

O R D E R

This Writ Petition has been filed seeking Writ of Mandamus, to direct the official respondents to take action on the basis of the complaint given by the petitioner, dated 07.06.2021, even though Writ of Mandamus for such nature may not lie.



2. When the matter was taken up for hearing on 09.09.2021, there was no representation for the petitioner.

3. The learned Additional Public Prosecutor has submitted that based upon the complaint given by the petitioner, enquiry was undertaken in CSR No.643 of 2021 and during the course of the enquiry, the petitioner himself has given a statement to the effect that he will work out his remedy before this Court in this matter, based upon which, it was closed. Closure report is also been circulated before this Court.

4. It appears that it is mistake committed by the petitioner to state that he will work out his remedy in this pending matter. Moreover, the complaint given by the petitioner has been closed based on the undertaking given by him only. Hence, no positive direction can be given by this Court, regarding action against the private respondents based upon the complaint given by the petitioner. If at all, a fresh representation is received, the same shall be decided on merits. Except that, no other relief can be granted to this petitioner.

5. In view of the same, the petitioner is at liberty to give fresh representation to the respondents. With such liberty, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 District Collector,
Office of the District Collector,
Tenkasi District,
Tenkasi.



2.The Superintendent of Police,
Office of the Superintendent of Police,
Tenkasi District,
Tenkasi.

3.The District Educational Officer,
Tenkasi District,
Tenkasi.

4.The Director of School Education,
Office of the Director,
Nungampakkam College Road,
Chennai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ/JGB (02.11.2021) 3P 6C