



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated : 17.09.2021

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CORAM:
THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**
W.P. (MD)No.14486 of 2021

P.Rengasamy

.. Petitioner

Vs.

1.The Director of Vigilance and Anti-Corruption,
No.293, M.K.N.Salai, Collector Nagar,
Alandur, Chennai - 600 016.

2.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Wing,
No.23, Race Course Road,
Trichy - 620 023.

3.The District Collector,
District Collectorate,
Trichy.

4.The Block Development Officer,
Lalgudi Block,
Trichy District.

5.M.K.Thangavel,
President,
Reddimangudi Village Panchayat,
Lalgudi Block,
Trichy District - 621 105.

6.Ilayaraja,
Secretary,
Reddimangudi Village Panchayat,
Lalgudi Block,
Trichy District - 621105.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to consider the representation dated 28.07.2021, made by the petitioner and pass appropriate orders within the stipulated time period as may be fixed by this Court and direct the respondents 1 to 3 to initiate action in accordance with law.

For Petitioner	: Mr.D.Venkatachalam
For R1 to R3	: Mr.E.Antony Sahaya Prabahar
	Government Advocate
	(Criminal side)



For R4 to R6

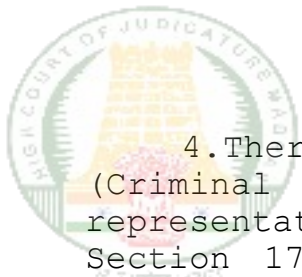
: Mr.Lingadurai
Government Advocate**ORDER**

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This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to consider the representation dated 28.07.2021, made by the petitioner.

2.The petitioner was elected as a Ward Member for Ward No.5 of the Reddimangudi Village Panchayat, Trichy District, in the year 2019 and the fifth respondent viz., M.K.Thangavel was elected as President in the same year for the said Village Panchayat. The sixth respondent Ilayaraja is the Secretary of the said Village Panchayat, who has been serving in the said post for the past 20 years. During the relevant point of time, the sixth respondent herein had involved in illegal activities by misappropriating the Government funds, which allotted to various schemes along with the fourth respondent. With an intention to get extra benefits from the beneficiaries, who are going to be benefitted through the Schemes allotted by the Government, the respondents 5 and 6 had colluded with one another, recommended the names of the persons, who are already having the toilet facility in their house. In fact, the fourth respondent without verifying the actual requirement and eligibility of beneficiaries with the convenience of the respondents 5 and 6, had forwarded the list to the third respondent for getting subsidy. In this way, the public fund has been misappropriated by the respondents 5 and 6 herein. In this regard, in order to avoid the same, the petitioner has sent a representation dated 28.07.2021 to the respondents 2 to 4, complaining the activities of the respondents 5 and 6. However, as on date, the officials are not taking any action on the offenders, therefore, it is necessary to direct the respondents 1 to 3 to take appropriate action against the offenders.

3.Today, when the Writ Petition is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents 1 to 3 filed a status report stating that the representation given by the writ petitioner has been received by Vigilance and Anti-Corruption Wing, Trichy, on 30.07.2021 and on the same day, it was sent to the first respondent for further proceedings. Further, in order to verify the genuineness of the complaint, the authorities attached to the Directorate of Vigilance and Anti-Corruption, Chennai, recommended to conduct preliminary enquiry, thereafter, on 23.08.2021, vide Petition No.8968/2021/RDP/TR, the same was addressed to the District Collector, Tiruchirappalli, to accord permission for conducting preliminary enquiry on the respondents 5 and 6.



4. Therefore, according to the learned Government Advocate (Criminal side), already an action has been initiated on the representation given by the petitioner. More than that, under Section 17(A)(1) of the Prevention of Corruption Act, 1988, the authorities are empowered to conduct preliminary enquiry. In the said circumstances, no further order is necessary in this Writ Petition.

5. Hence, recording the above said submission made by the learned Government Advocate (Criminal side) appearing for the respondents 1 to 3, this Writ Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The Director of Vigilance and Anti-Corruption,
No.293, M.K.N.Salai, Collector Nagar,
Alandur, Chennai - 600 016.

2. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Wing,
No.23, Race Course Road,
Trichy - 620 023.

3. The District Collector,
District Collectorate,
Trichy.

4. The Block Development Officer,
Lalgudi Block,
Trichy District.

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

+1 CC to M/s.D.VENKATACHALAM, Advocate (SR-29612[F] dated
20/09/2021)

W.P.(MD)No.14486 of 2021
17.09.2021

RD(28.09.2021) 3P 7C