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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2022

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.NO.6148 OF 2019

G.Kaliyamoorthi

... Petitioner

Vs

1. The Secretary
Department of Agriculture,
Government of Puducherry,
O/o Chief Secretariat,
Puducherry
2. The Superintendent of Police
Vigilance and Anti - Corruption Unit,
Puducherry
3. The Enquiry Officer,
Vigilance and Anti - Corruption Unit,
Puducherry
4. Mr.M.Mathialagan
Additional Director
Department of Agriculture,
Government of Puducherry,
Karaikal
5. Mr.K.G.Govindaraj

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to dispose of the representation dated 07.05.2014.

For Petitioner : Mr.R.MD.Nasrullah

For R1 to R3 : Mr.J.Kumaran
Additional Government Pleader
(Puducherry)



For R4 : No Appearance

For R5 : Mr.A.Dhanwanthi

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O R D E R

The prayer is sought for a writ of mandamus, directing the official respondents i.e., 1 to 3 to dispose the representation of the petitioner dated 07.05.2014.

2. On instructions, Mr.J.Kumaran, learned Additional Government Pleader (Puducherry) would submit that the matter has been enquired into. He circulates written instructions dated 18.02.2022 bearing No.827/Inspector-I/(VAC)/2022, which is a communication from the Inspector(VAC), Puducherry addressed to the Superintendent of Police (VAC), Puducherry. The communication is self-explanatory and reads as follows:

"It is submitted that the petitioner Mr.G.Kaliyamurthy, No.8, Sivan Kovil St, Pillaitheruvasel, Karaikal had submitted a petition addressed to Hon'ble LG by marking copy to 12 Multiple Agencies inclusive of Hon'ble Prime Minister, New Delhi, Hon'ble Home Minister, CBI, New Delhi, Information Commission, New Delhi, Hon'ble CM of Puducherry, Agriculture Minister, Puducherry, Chief Secretary, Puducherry, Private Secretary to Agriculture Department, Puducherry, Vigilance Commissioner, Puducherry, Collector, Karaikal, Director, Agriculture Department, Puducherry and Additional Director, Agriculture Department, Karaikal. In his petition, he has represented the political corruption during 2005 and 2012 to 2013 in Agriculture Department influenced to by the political person Mr. "KG @ K.Govindaraj and his family. The petitioner had requested to Hon'ble LG to intervene and to direct the conduct CBI enquiry."

Based on the above, the petition was perused. The two allegations represented were found vague and general with no clear prima facie fact & evidence to proceed further as part of Preliminary Enquiry. In this regard, it is ascertained that the,

A. The petitioner was summoned by the then Enquiry Officer @ Inspector of Police on 29-08-2017 and the petitioner has appeared along with one advocate but



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informed orally that he will come with all connected legal proof with events and dates to proceed further. Thereafter, he did not turn back and not responded.

B. Also, petitioner applied and received information under RTI dt:22-06-2018 but not responded thereafter.

C. It was ascertained that the above petitioner had already approached Taluk Legal Service Committee, Karaikal for which Agriculture Department had filed an affidavit and the matter was disposed. Copy enclosed.

As the allegations are vague, there is no scope to proceed further under vigilance angle and the matter was already closed by Taluk Legal Service Committee, Karaikal in 2018 itself.

This petition may be closed copy enclosed for kind perusal."

3. In the light of the aforesaid and since it appears that the authorities have already dealt with the issues raised by the petitioner and the Taluk Legal Service Committee, Karaikal has also disposed the application as early as in 2018, nothing further is required to be done as far as the present writ petition is concerned.

4. Recording the aforesaid, this writ petition is closed. Since there are no instructions available with Mr.J.Kumaran, learned Additional Government Pleader (Puducherry) as to whether the order passed in 2018 by the Taluk Legal Service Committee, Karaikal, has been served upon the petitioner or not, let a copy of the same be served afresh now. The petitioner is granted liberty to challenge the same, if he is aggrieved.

5. The Writ Petition stands closed in the aforesaid terms. No costs.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

Jeni/Kak



To

1. The Secretary
Department of Agriculture,
Government of Puducherry,
O/o Chief Secretariat,
Puducherry

2. The Superintendent of Police
Vigilance and Anti - Corruption Unit,
Puducherry

3. The Enquiry Officer,
Vigilance and Anti - Corruption Unit,
Puducherry.

+1cc to Mr.R.MD.Nasrullah, Advocate, S.R.No.17915

+1cc to M/s.Govi Ganesan, Advocate, S.R.No.17551

+1cc to the Government Pleader(Puducherry), S.R.No.17895

W.P.No.6148 of 2019

JPL(CO)
RLP(28/04/2022)