



W.P.No.7733 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7733 of 2019

C.Rajavelu

... Petitioner

Vs.

1. The Director of Town Panchayats,
Kuralagam,
Chennai – 109.
2. The Assistant Director of Town Panchayats,
Vellore Zone,
Vellore – 9.
3. The Executive Officer,
Pallikonda Town Panchayat,
Vellore District.
4. S.Murali

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the respondents 1 to 3 to conduct an enquiry departmentally into the properties acquired by the 4th respondent in his name and in the name of his family members as per the order of Ombudsman in Order No.307/2017 dated 29.12.2017.

For Petitioner : Mr.S.Mahesh

For Respondents :

For R1 to R3 : Mrs.R.L.Karthika

Government Advocate

For R4 : Mr.R.Jayaprakash

ORDER

The relief sought for in the present writ petition is to direct the Respondent Nos.1 to 3 to conduct an enquiry departmentally into the properties acquired by the 4th respondent in his name and in the name of his family members as per the order of Ombudsman in Order No.307/2017 dated 29.12.2017.



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2. The petitioner states that he is the President of the Tamil Nadu Government All Department Employees Union. He has submitted a complaint against the fourth respondent, who is working as record clerk in Pallikonda Town Panchayat, Vellore District. The complaints submitted by the writ petitioner reveals that the fourth respondent in his capacity as a public servant amassed wealth in an illegal manner in his name and the name of his family members.

3. In spite of the fact that the petitioner sent several complaints, no actions were taken and pertinently, no Ombudsman also conducted an enquiry and issued an order directing the Departmental Authorities to conduct an enquiry and initiate all appropriate actions. Even thereafter, no action was taken. Thus, the petitioner is constrained to move the present writ petition.

4. This Court perused the files produced by the learned Government Advocate representing the respondents 1 to 3. The file reveals that there is no full fledged enquiry conducted in a proper manner and the enquiry conducted by the Executive Officer is absolutely insufficient to meet out the gravity of the allegations raised against the fourth respondent by the writ petitioner.



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5. In view of the facts and circumstances, the first respondent/
Director of Town Panchayats, Kuralagam, Chennai, is directed to call for the
entire files relating to the complaints against the fourth respondent and conduct
an independent enquiry, if necessary, through the Department of Vigilance and
Anti-Corruption and thereafter take a final decision and initiate all appropriate
actions in the manner known to law. Accordingly, the writ petition stands
disposed of. No costs.

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Index:Yes/No

Speaking order/Non-speaking order

rgm/mrn



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To

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S.M.SUBRAMANIAM, J.

rgm/mrn

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