

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.15028 OF 2022

S.Balachandran

... Petitioner

-Vs-

1. The District Collector,
O/o District Collectorate,
Nagapattinam Distirct.
2. The Commissioner,
Fisheries Department,
Nandhanam, Chennai.
3. The Superintendent of Police,
O/o District Superintendent of Police,
Nagapattinam District.
4. The Director,
Anti Corruption and Vigilance,
Alandhur, Chennai.
5. M/s Emjay Constructions,
No.7, Central Street,
Kilpauk Garden Colony,
Kilpauk, Chennai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1,2 and 4 to conduct the inquiry in pursuant to petitioner's complaint dated 21.04.2022.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondents : Mr.R.Shanmuga Sundaram
Advocate General
assisted by
Mr.R.Muniyapparaj
Addl.Public Prosecutor for R1 to R4

O R D E R

Mr.R.Muniyapparaj, learned Additional Public Prosecutor, accepts notice on behalf of 1st to 4th respondents.

2. This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 4 to take action against the 5th respondent for the poor quality of his work in respect of the contract awarded to him on 03.02.2021. The contract relates to the construction of Fishing Harbour at Arcotturthurai in Nagapattinam District and the contract value, according to the petitioner, is Rs.132,69,56,679 with GST Rs.15,92,34,801, totalling Rs.148,61,91,480. The petitioner has given a complaint to the official respondents requesting them to take action against the 5th respondent. Since the complaint was not acted upon earlier, this Writ Petition has been filed.

3. Now, it is brought to the notice of this Court by the learned Advocate General appearing for the official respondents that pursuant to the complaint given by the petitioner, action has been initiated under the Prevention of Corruption Act by the 4th respondent. A copy of the letter dated 09.05.2022 sent by the 4th respondent to the petitioner intimating him that action has already been initiated against the 5th respondent under the Prevention of Corruption Act has also been placed before this Court today by the learned Advocate General.

4. Since legal action has been initiated for prosecuting the 5th respondent by the 4th respondent, after recording the letter dated 09.05.2022 referred to supra and after recording the statement made by the learned Advocate General, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The District Collector,
O/o District Collectorate,
Nagapattinam Distirct.

2. The Commissioner,
Fisheries Department,
Nandhanam, Chennai.
3. The Superintendent of Police,
O/o District Superintendent of Police,
Nagapattinam District.
4. The Director,
Anti Corruption and Vigilance,
Alandhur, Chennai.

+1cc to Mr.P.Muthamizh Selvakumar, Advocate, S.R.No.36525

+1cc to the Government Pleader, High Court, Madras, S.R.No.37166

W.P.No.15028 of 2022

AK-II (CO)
RLP(12/07/2022)