



WEB COPY



W.P. No.24974 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.24974 of 2022

P.Murugan

... Petitioner

Vs.

1.The Collector,  
District Collectorate,  
Kallakurichi District.

2.The Sub-Collector,  
District Collectorate,  
Kallakurichi.

3.The Superintendent of Police,  
Kallakurichi.

4.S.Balusamy

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider petitioner's representations dated 04.12.2020, 9.12.2020, 23.12.2020 consequently direct the respondents 1 and 2 to take action against the 4<sup>th</sup> respondent.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.S.P.Karthik

Government Advocate (for R1 to R3)



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### ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents 1 to 3 to consider petitioner's representations dated 04.12.2020, 09.12.2020, 23.12.2020 consequently direct the respondents 1 and 2 to take action against the 4<sup>th</sup> respondent.

2. The petitioner has given a complaint against the 4<sup>th</sup> respondent who was working as Village Assistant at Kallakurichi Village, Sankarapuram Taluk, Kallakurichi District. The substance of the complaint is that the 4<sup>th</sup> respondent's date of birth was 17.04.1963, however he claimed to have passed 8<sup>th</sup> standard in 1968 i.e. within 5 years he claimed to have passed 8<sup>th</sup> standard, that was mainly alleged by the petitioner in his complaint and he has also made some more allegations against the 4<sup>th</sup> respondent by making these allegations, he wanted to have an enquiry against the 4<sup>th</sup> respondent and to decide the same, the petitioner has given representation after representation lastly on 23.12.2020 to the respondents i.e. District Collector, District Revenue Officer, Revenue Divisional Officer as well as Tahsildar concerned. Pursuant to the complaint given by the petitioner, the Sub Collector, Kallakurichi has issued a summon to have an enquiry sometime in



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January 2021. Thereafter, in February 2021, the Sub Collector has sent a communication to the Revenue Divisional Officer to get a report to that effect as to whether any disciplinary action has been initiated against the 4<sup>th</sup> respondent and thereafter nothing was moved, it seems, therefore in order to speed up this enquiry and to take a decision, the petitioner has approached this Court by filing this writ petition with the aforesaid prayer.

3. Heard Mr.S.N.Subramani, learned counsel appearing for the petitioner and Mr.S.P.Karthick, learned Government Advocate appearing for the respondents 1 to 3.

4. The learned Government Advocate for the respondents who would submit that as per the instruction he has received, the enquiry is still pending and yet to be completed and at the earliest, enquiry would be completed and final order would be passed.

5. I have considered the said submissions made by the learned counsel appearing for the parties especially the learned Government Advocate appearing for the respondents 1 to 3.



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6. If at all the 4<sup>th</sup> respondent has given any forged certificate based on which he joined service and is working, it is a serious issue and that should have been decided at the earliest, though the enquiry was commenced sometime in January 2021 itself for this long time why it has not been completed is not known, anyhow the petitioner has now given representations to complete the enquiry and pass orders at the earliest. In that view of the matter, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the respondents to complete the enquiry already been commenced against the 4<sup>th</sup> respondent on the complaint triggered by the petitioner as stated supra with regard to the educational qualification/ alleged bogus certificate etc. and complete the same and pass final orders thereon within a period of 30 days from the date of receipt of a copy of this order.

7. With this direction, this Writ Petition is disposed of. No costs.

16.09.2022

Index : Yes / No

Speaking Order : Yes / No

Sgl



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R.SURESH KUMAR, J.

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