



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No. 33573 of 2018
and WMP No.38958 of 2018

P.Balasubramaniam

... 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 Department,
Door No.4, Ramasamy Nagar 1st street,
Goundampalayam,
Coimbatore 641 030.
3. The Additional District Executive Magistrate cum
The District Revenue Officer,
Collectorate Buildings,
Coimbatore -18
4. Selvi,
Tahsildar,
Pollachi Taluk,
Coimbatore.

... Respondents

The Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorarified Mandamus to call for the records of the 3rd respondent made in proceedings No.Na.Ka.No.1331/2017/Ki-3, dated 25.09.2017 and quash the same and consequently, direct the 3rd respondent to release the vehicle bearing Reg.No.KL 70 B 1530 and consequently direct the 2nd respondent to conduct a free, fair and impartial enquiry against the 4th respondent based on the representation dated 30.10.2018 after providing opportunity to the petitioner and proceed in accordance with law.



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For petitioner ... Mr. N. Umapathi

For respondents ... Mr.M.Shajahan,
Spl. G.P.
for R1 to R3

ORDER

Challenging the order passed by the 3rd respondent under Section 6 A of the Essential Commodities Act 1955, the petitioner is before this Court with this writ petition.

2. Admittedly, against the order passed by the 3rd respondent/ Additional District Executive Magistrate-cum-District Revenue Officer, Executive Officer, an appeal remedy is provided under Section 6 C of the Essential Commodities Act 1955. Without availing the alternative remedy, the petitioner cannot straight away filed the writ petition and therefore, the writ petition is liable to be dismissed.

3. Accordingly, the writ petition is dismissed. The petitioner is permitted to file an appeal, against the order, before the appellate authority within a period of four weeks from the date of receipt of a copy of this order. In the event of filing such appeal, the Appellate Authority is directed to consider the same and pass suitable orders, within a period of six weeks thereafter, after giving opportunity to the petitioner and also considering all his objections. So far as the other reliefs sought by the petitioner, it is always open to him to proceed in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



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1. The Director of Vigilance and
Anti Corruption,
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+1cc to the Government pleader Sr.9197

W.P. No.33573 of 2018

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srg 17/03/2022