



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21/03/2022

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

WP (MD) No.2009 of 2022

WEB COPY

S.Saravanan

: Petitioner

Vs.

1.The Director, (DVAC)
Vigilance and Anti Corruption,
Alandor,
Chennai-600 014.

2.The Deputy Superintendent,
Vigilance and Anti Corruption,
No.210/A, Ramanpudur,
Nagercoil,
Kanyakumari District.

: Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation, dated 25/08/2021 and thereby direct the respondents to take necessary action upon the complaint made by the petitioner against the Putheri Panchayat President and pass such further orders.

For Petitioner : Mr.R.Anandharaj

For Respondents : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

O R D E R

The writ petition is filed seeking a direction to consider the petitioner's representation, dated 25/08/2021 and thereby direct the respondents to take necessary action upon the complaint made by the petitioner against the Putheri Panchayat President.

2.The facts in brief:-

The petitioner is a practising Advocate. One P.Kannan was selected as the Panchayat President for Putheri Panchayat in Kanyakumari District. From 06/01/2021, he was serving as Putheri Panchayat President. During his tenure, he involved in illegal activities, caused damage to the public and Government and misused



his power also. Against the Rule under the Tamil Nadu Panchayats Building Rules, 1997, the above said President approved more than 50 layout approvals. For that purpose also, he received the illegal gratification. For the purpose of approval for putting up the construction in wet lands, it must be placed before the Competent Authority for converting the wet land into the dry land and thereafter only, the Local Planning Authority and Director of Town and Country Planning can approve the same. But here, the above said President has violated all the Rules and he has also created fraudulent documents. So on that basis, he made a complaint, on 25/08/2021 requesting the respondents to take necessary action on the basis of the above said violation of the Rules and fraudulent creation of the documents.

3. Heard both sides.

4. When the matter was taken up for hearing, the learned Additional Public Prosecutor would submit that the complaint, which was preferred by the petitioner was forwarded to the District Collector, who in turn forwarded the same to the Block Development Officer, Rajakamangalam, for further action. The letter, is dated 06/01/2022. So, the learned Additional Public Prosecutor would submit that proper action has been taken and after receiving the report from the District Collector only, further action will be taken. Since action has been initiated by the District Collector by forwarding the complaint to the Block Development Officer, Rajakamangalam, the respondents cannot take action immediately. So the petitioner can wait for reasonable time for the process to be completed. Even though after the reasonable time, if no action is taken or initiated, the petitioner can work out his remedy through the appropriate proceedings. A request of the petitioner is that a direction may be issued to the District Collector to complete the enquiry process and file a report. Such request is beyond the scope of the petition. No possible direction can be given to the District Collector. So the request is rejected.

5. With the above said liberty, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Director, (DVAC)
Vigilance and Anti Corruption,
Alandor,
Chennai-600 014.
- 2.The Deputy Superintendent,
Vigilance and Anti Corruption,
No.210/A, Ramanpudur,
Nagercoil,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ(05.05.2022) 3P 4C