



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P.(MD)No.14271 of 2014

V. Gurusamy

... Petitioner

vs.

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Superintendent of Police,
Office of the Director of Vigilance & Anti Corruption,
NCB No.21, P.S. Kumarasamy Road,
Raja Annamalaipuram Post,
Chennai-28.

3.The Deputy Superintendent of Police,
Vigilance & Anti Corruption Wing,
Kulavaniyapuram, Palayamkottai,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to take suitable action against the erred officials on the basis of the report and documents submitted by the District Inspection Cell Officer.

For Petitioner

: Mr.S.Arivalagan

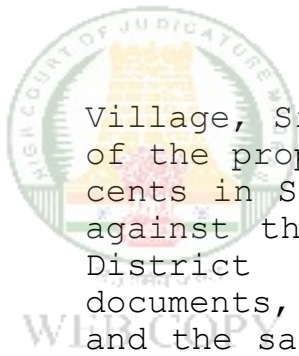
For Respondents

: M/s.D.Farjana Ghoushia
Special Government Pleader

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus, to direct the 1st respondent to take suitable action against the erred officials on the basis of the report and documents submitted by the District Inspection Cell Officer.

2.The contention of the petitioner is that he is owning an agricultural land to the extent of 1 Acre and 76 cents along with an open irrigation well in S.F. No. 408 / 1 and 2 of Thirumalpuram



Village, Sivagiri Taluk, Tirunelveli District. On the northern side of the property one Subbiah owns his land to the extend of 5 Acres 2 cents in S.No.413 without well. The said Subbiah filed a false suit against the petitioner in O.S.No.230 of 2004, on the file of the District Munsif Court, Sivagiri, by filing some fabricated documents, manipulated by the officials of the Revenue Department and the said suit ended in favour of the petitioner. The petitioner submitted the said Subbiah preferred a Second Appeal before this Court and this Court has scrapped the report on 12.09.2007 in I.A.No.179 of 2007. The contention of the petitioner is that the said Subbiah and others are very influential persons and the Assistant Director of Land and Survey, Tirunelveli, was reported about their illegal act and inspection was carried out by the District Inspection Cell Officer and a report was submitted to the District Collector, Tirunelveli and a copy marked to the petitioner. The said report, dated 27.06.2012 clearly states that "the report is submitted along with certain documents, statements against the erring officials". The petitioner is praying to direct the respondents to conclude the enquiry to its logical end and to take action against the erring officials.

3.The petitioner also circulated an additional typed set, where FMB Sketch clearly shows that the well is situated in Survey No.408 and it is not in Survey No.413. Therefore, the respondents are directed to take appropriate action against the erring officials, based on the report, dated 27.06.2012 and punish the erring officials.

4.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

/ /2022
Sub Assistant Registrar(CS)

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

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Kulavaniyapuram, Palayamkottai,
Tirunelveli District.

4 The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.SPL GP (SR-12201[F] dated 15/03/2022)

+1 CC to M/s.S.ARIVALAGAN, Advocate (SR-12307[F] dated 15/03/2022)

W.P. (MD) No.14271 of 2014
14.03.2022

MK/25.03.2022/3P/7C