



W.P.No.19519 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.19519 of 2015

and

W.M.P.No.1 of 2015

M.Murali

.... Petitioner

Vs

1.The Secretary to Government,
Industries Department,
Government of Tamil Nadu,
Fort St.George, Chennai – 600 009.

2.The Director of Vigilance & Anti Corruption,
Post Box, No.487, NCB,
No.21, P.S.Kumarasmy Raja Salai,
Chennai – 600 028.

3.The Director General of Police,
Chennai – 600 004.

4.A.Palanivel

.... Respondents

Prayer :- Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to take appropriate criminal action against the 4th respondent on the basis of the representation of petitioner dated 28.1.2014 in accordance with law by setting the criminal law in motion.

For Petitioner : No appearance

For R 1 -3 : Mr.S.Rajakumar

Additional Public Prosecutor



W.P.No.19519 of 2015

ORDER

WEB COPY This Writ Petition has been filed for directing the respondents 1 to 3 herein to take appropriate criminal action against the 4th respondent on the basis of the representation of petitioner dated 28.1.2014.

2. On receipt of the complaint from the petitioner, a detailed enquiry was conducted on the allegations. While the 4th respondent was working as Assistant Geologist had caused huge revenue loss to the Government in collusion with one V.Ramanathan, then Deputy Director of Mines, Madurai. Another allegation was that, in respect of Tirunelveli District, while the 4th respondent was working as an Assistant Director of Mines, Tirunelveli allowed illicit quarrying in more than 50 places, as he could have verified from the inspection report of the Special Team deputed by the Director of Geology and Mining. Even taking a minimum penalty of 25 lakhs per illicit quarrying, the total revenue loss would be in the order of 1250 lakhs by the 4th respondent.

3. In respect of Theni District, when the 4th respondent was working as Assistant Director of Mines, Theni has granted quarry lease against the rules in many cases.



W.P.No.19519 of 2015

WEB COPY

4. In respect of Namakkal District, it is alleged by the petitioner that, the 4th respondent had issued a proceedings in the name of District Collector in ROC.No.B.57/G&M/07 dated 16.04.2007, to remove red earth and gravel from Government Poramboke lands in S.No.128 and 81/2 over an extent of 2.05.0 hectares for a period of 10 months.

5. Finally, in respect of disproportionate assets, it is alleged by the petitioner that, the 4th respondent had purchased costly plots near Chennai and in possession of many vacant plots near Chennai and there is every likelihood that, he could have acquired properties in other cities and major towns also going by the enormity of his unlawful actions of showing illegal favour to unlawful miners and unlawful transport of minerals.

6. All the allegations mentioned in the petition are very vague and the petitioner who is an Advocate have refused to provide the materials and assistance for the enquiry. Therefore, entire allegations levelled against the against the 4th respondent is held as not substantiated.

Therefore, the Government after careful examination, had decided to



W.P.No.19519 of 2015

drop further action on the complaints made in the petition dated 28.01.2014 of the petitioner against the 4th respondent.

7. In such view of the matter, this Writ Petition is dismissed. The Order passed by the Government in G.O.(D).No.27 dated 18.02.2016 shall form a part and parcel of this Order. No costs. Consequently, connected Miscellaneous Petition is closed.

13.04.2023

Index: Yes/No
Internet: Yes/No
Speaking Order: Yes/No
gd

To

1. The Secretary to Government,
Industries Department,
Government of Tamil Nadu,
Fort St. George, Chennai – 600 009.
2. The Director of Vigilance & Anti Corruption,
Post Box, No.487, NCB,
No.21, P.S.Kumarasmy Raja Salai,
Chennai – 600 004.
3. The Director General of Police,
Chennai – 600 004.



WEB COPY



W.P.No.19519 of 2015

G.K.ILANTHIRAIYAN, J.

gd

W.P.No.19519 of 2015

13.04.2023