



W.P.Nos.868 of 2018 & 20981 of 2017

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.Nos.868 of 2018 & 20981 of 2017

Dravida Munnetra Kazhagam  
Rep. by its Organisation Secretary  
R.S.Bharathi M.P.  
DMK Head Quarters  
Anna Arivalayam  
367 & 369, Anna Salai  
Chennai 600 018.

.. Petitioner in  
both W.Ps.

Vs.

The State of Tamil Nadu  
Represented by its Chief Secretary  
Fort St. George, Secretariat  
Chennai 600 009.

.. Respondent-1 in  
both W.Ps.

Mohan Pyare, IAS

.. Respondent-2 in  
WP No.868/18

V.K.Jeyakodi, IAS

.. Respondent-2 in  
WP No.20981/17

The Tamil Nadu State Vigilance Commission  
Represented by its Commissioner  
Secretariat, Chennai 600 009.



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The Director of Vigilance and Anti Corruption  
rep. by its Director  
No.293, M.K.N. Road  
Alandur  
Chennai 600 016.

The Secretary to Governor  
Governor's Secretariat  
Raj Bhavan  
Chennai.

Respondents 3-5  
.. in both WPs.

Prayer: Petitions filed under Article 226 of the Constitution of India seeking

(i) a writ of Certiorari calling for the records pertaining to the impugned order in G.O.Rt.No.102, Public (Special A) Department dated 08.01.2018 on the file of the first respondent and quash the same; and

(ii) a writ of Certiorarified Mandamus calling for the records pertaining to G.O.Rt.No.2720, Public (Special A) Department, dated 02.08.2017 issued by the first respondent appointing the second respondent as the Tamil Nadu State Vigilance Commissioner and quash the same and consequently, direct the first respondent to treat the office of the third respondent as 'integrity institution' by extending the directions of the Hon'ble Supreme Court of India in the case of *Vineet Narain v. Union of India* reported in (1998) 1 SCC 226; PJ Thomas case reported in 2011 (4) SCC page 1 and the framework of the Central Vigilance Commission Act, 2003 to the third respondent and further direct the first respondent to appoint a Vigilance Commissioner after a fair, reasonable and transparent consultative process treating the office of the third respondent as an integrity institution on the basis of guidelines relating to the constitution, appointment, terms and conditions of service, functions, powers, procedure for removal, expenses and filing of annual report and infrastructure frame by this Hon'ble Court.



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For the Petitioner in : Mr.R.Girirajan  
both WPs.

For the Respondents in : Mr.P.Muthukumar  
both WPs. State Government Pleader  
for Respondents 1 & 4

No appearance -  
for Respondents 2, 3 & 5

ORDER

(Made by the Hon'ble Chief Justice)

Learned counsel for the petitioner submits that by efflux of time,  
the relief claimed does not survive.

2. In the light of that, these writ petitions stand disposed of.  
There will be no order as to costs. Consequently, WMP Nos.1042, 1043  
and 1049 of 2018 and 21866, 21867, 22989 and 23712 of 2017 are  
closed.

(S.V.G., CJ.) (P.D.A., J.)  
16.06.2023

Index : Yes/No  
Neutral Citation : Yes/No

kpl



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To

1. The Chief Secretary  
State of Tamil Nadu  
Fort St. George, Secretariat  
Chennai 600 009.
2. The Commissioner  
Tamil Nadu State Vigilance Commission  
Secretariat, Chennai 600 009.
3. The Director of Vigilance and Anti Corruption  
No.293, M.K.N. Road  
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4. The Secretary to Governor  
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THE HON'BLE CHIEF JUSTICE  
AND  
P.D.AUDIKESSAVALU, J.

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