



W.P.No.13840 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2023

CORAM :

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

AND

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

W.P.No.13840 of 2023

N.Vetrivel Chezhan

.. Petitioner

Vs.

1. The Chief Secretary
Government of Tamil Nadu
Fort St. George
Chennai 600 009.
2. The Additional Chief Secretary to Government
Home Department
Fort St. George
Chennai 600 009.
3. The Vigilance Commissioner
Government of Tamil Nadu
Fort St. George
Chennai 600 009.
4. The Director
Directorate of Vigilance & Anti Corruption
Collectors Nagar, Alandur
Chennai 600 016.



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5. The Director General of Police
Office of the DGP
Santhome, Chennai 600 004.
6. The Secretary
Ministry of Home Affairs
NDCC II Building
Jai Singh Road
New Delhi 110 001.
7. The Chairman
Union Public Service Commission
Dholpur House
Shahjahan Road
New Delhi 110 069.
8. A.K.Viswanathan, IPS
9. Kumareswaran
- 10.A.Narayanan
- 11.The Chief Engineer
The Tamil Nadu Police Housing Corporation Ltd.
No.132, EVR Salai, Kilpauk
Chennai 600 010.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing the fourth respondent to complete within a specified time the enquiry concerning the work orders dated 18.07.2022, issued by the ninth respondent in favour of the tenth respondent in (i) Lr.No.SE/CC/DB/2609/2022; (ii) Lr.No.SE/CC/DB/2609-A/2022; (iii) Lr.No.SE/CC/DB/2609-B/2022; (iv) Lr.No.SE/CC/DB/2609-C/2022 & (v) Lr.No.SE/CC/DB/2609-D/2022.



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For the Petitioner : Mr.K.Mangalanathan

For the Respondents : Mr.R.Shunmugasundaram
Advocate-General
Assisted by
Ms.Sona Sathish Kumar &
Mr.K.M.D.Muhilan
Additional Government Pleader
for Respondents 1, 2 and 5

Mr.D.Simon, CGSC
for Respondent-6

Mr.S.Rajakumar
Additional Public Prosecutor
for Respondent-8

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.K.Mangalanathan, learned counsel for the petitioner, Mr.R.Shunmugasundaram, learned Advocate-General, assisted by Ms.Sona Sathish Kumar and Mr.K.M.D.Muhilan, learned Additional Government Pleader for respondents 1, 2 and 5, Mr.D.Simon, learned Central Government Standing Counsel for the sixth respondent and Mr.S.Rajakumar, learned Additional Public Prosecutor for the eighth respondent.



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2. According to learned counsel for the petitioner, the contract awarded to the tenth respondent, by the ninth respondent, at the instance of the eighth respondent, is, in fact, a benami venture for the benefit of the eighth respondent and his brother, who is managing the real estate business of the eighth respondent.

3. According to learned counsel, the Tamil Nadu Vigilance Commission, on 30.12.2022, had also asked the Additional Chief Secretary to Government to submit action taken on the allegations contained in the petition, as referred in Reference No.1 of the said letter. However, nothing is coming forth.

4. The petitioner ought to have made a specific averment. It is not a case that the authorities are not taking steps. Letter is already issued by the Tamil Nadu Vigilance Commission to the Additional Chief Secretary on 30.12.2022 to intimate the action taken on the allegations contained in the petition, as referred to in Reference No.1 of the said letter.



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5. The petitioner has not placed on record any material to suggest that the petitioner had taken steps to get the information and that the information was not made available. It is only if the petitioner can make a specific averment to that effect, then only the petitioner ought to have filed the present petition.

6. In the light of that, it is for the petitioner to take appropriate steps with regard to the necessary information and in case the information as sought for is not furnished or upon the information furnished, steps can be taken in that regard by the aggrieved party.

7/ With the aforesaid observations, this public interest litigation is disposed of. There will be no order as to costs. Consequently, WMP No.13497 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

05.06.2023

Index : Yes/No
Neutral Citation : Yes/No
kpl



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