



WEB COPY



W.P.No.27613 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2023

CORAM

THE HON'BLE **Dr.JUSTICE G.JAYACHANDRAN**

W.P.No.27613 of 2022

Puducherry Arivusaar Vanniyar
Uzhiyargal Sangam,
Puducherry Road Transport Corporation,
Rep.by its President N.Arulmani

... Petitioner

Vs.

1.The Union of India represented
by its Chief Secretary to Government,
Government of Puducherry,
Chief Secretariate,
Puducherry.

2.The Secretary to Government,
Transport Department,
Government of Puducherry,
Puducherry.

3.The Superintendent of Police,
Vigilance and Anti-Corruption,
Puducherry.

4.The Inspector of Police,
Vigilance and Anti-Corruption,
Puducherry.



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5. The Director,
Central Bureau of Investigation,
Southern Region Office,
Shastri Bhavan, Haddones Road,
Chennai-600 006.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 3 and 4 herein to consider and dispose of the complaints of the petitioner dated 11.08.2021, 18.08.2021, 29.09.2021, 23.11.2021, 13.12.2021, 20.12.2021, 12.04.2022, 25.04.2022 and 04.07.2022 within stipulated time.

For Petitioner	: Mr.M.Gnanasekar
For R1 to R4	: Mr.K.S.Mohan Dass Public Prosecutor (Puducherry) Assisted by Ms.N.Danalatchoumy
For R5	: Mr.K.Srinivasan Special Public Prosecutor (CBI)

ORDER

This Writ petition is filed seeking direction for investigation. The representations given by the petitioner association alleging financial irregularity in the Puducherry Transport Corporation.



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2. It is also prayed that the Puducherry Government should be directed to implement the suggestion made by Vijayan Committee report. Though the body of the affidavit indicates various allegations and irregularity, they are not specific, but bald and vague. Further, the recommendation of an expert committee cannot be directed to enforce by a Court order. It is the prerogative of the State to accept the recommendation or ignore it. Since this Court finds that the allegations regarding the road worthiness of vehicles owned by the transport corporation is vague and not specific. One or two stray incident, break down of vehicle and accident does not make worthy grounds to order for an investigation by CBI. It is always open to the petitioner association to record their grievances or complaint with specific details to the law enforcing officer to act upon the complaint. Vague complaints and representations cannot form the basis of the Court to exercise its jurisdiction and direct investigation by CBI.



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3. For the above said reasons, this Writ Petition stands dismissed.

12.07.2023

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To

1.The Chief Secretary to Government,
Union of India,
Government of Puducherry,
Chief Secretariate,
Puducherry.

2.The Secretary to Government,
Transport Department,
Government of Puducherry,
Puducherry.

3.The Superintendent of Police,
Vigilance and Anti-Corruption,
Puducherry.

4.The Inspector of Police,
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5.The Director,
Central Bureau of Investigation,
Southern Region Office,
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6.The Public Prosecutor (Puducherry),
High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

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