



W.P.No.25139 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.25139 of 2023

A.Sagayaraj

... Petitioner

-Vs-

- 1.Union of India,
Represented by the Chief Secretary-cum-
Chief Vigilance Officer,
Government of Puducherry,
Chief Secretariat,
Goubert Avenue,
Puducherry-605 001.
- 2.The Secretary to Government,
(Information and Publicity),
Chief Secretariat,
Gulbert Avenue,
Puducherry-605 001.
- 3.The Director,
Directorate of Information and Publicity,
Information and Publicity Department,
Government of Puducherry,
Puducherry-605 001.
- 4.The Superintendent of Police,
Vigilance and Anti-Corruption Police Unit,
No.271, M.G.Road,
Muthialpet,



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5. M.Dhanasekaran

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the third respondent to re-open the Departmental Enquiry which was closed illegally and to take necessary action against the fifth respondent based on the petitioner's representation dated 25.03.2022 within the stipulated time framed by this Hon'ble Court.

For Petitioner : Mr.S.Vijayakumar

For Respondents

R1 to R4 : Mr.Ramasamy Meyyappan
Government Advocate (Puducherry)

ORDER

This writ petition has been filed directing the third respondent to re-open the Departmental Enquiry as against the fifth respondent based on the petitioner's representation dated 25.03.2022.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Puducherry) appearing for the respondents 1 to 4 and perused the materials available on record.

3. The petitioner is a member of the Statue Set Committee of



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Mother Theresa. On 24.02.2011, the Statue Set Committee convened the meeting and decided for unveiling ceremony of Mother Theresa statue on 28.02.2012. Accordingly, the ceremony was held in which, the fifth respondent had defrauded the Government money of several lakhs of rupees.

4. Therefore, the petitioner lodged a complaint before the Vigilance and Anti-Corruption Department at Pondicherry. Thereafter, it was enquired and closed. On the basis of a complaint, the fifth respondent was issued with a charge memo and after conducting the enquiry, it was closed. The petitioner also filed an application before the Tamil Nadu Central Administrative Tribunal for the very same relief in O.A.No.355 of 2022. By an order dated 10.07.2023, it was dismissed as withdrawn with liberty to approach the appropriate forum. It does not mean that the petitioner was given liberty by this Court. The petitioner has no locus to seek direction to re-open the Enquiry against the fifth respondent. The police complaint lodged against the fifth respondent was also closed and the enquiry conducted against the fifth respondent was also closed as no charge is made out.



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5. Therefore, the request sought for in this writ petition cannot be considered and this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ petition stands dismissed. There shall be no order as to costs.

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Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order
mn



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G.K.ILANTHIRAIYAN, J.

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