



W.P.No.28242 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.10.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.28242 of 2023

S.Visweswaran

... Petitioner

Vs

1. Union of India,
rep. by its Secretary,
Ministry of Ayush, Ayush Bhavan,
B Block, GPO Complex, INA,
New Delhi – 110 023.
2. The Chief Vigilance Officer,
Ministry of Ayush, Ayush Bhavan,
B Block, GPO Complex, INA,
New Delhi – 110 023.
3. Chief Vigilance Commission,
Satarkta Bhavan, Block A
GPO Complex, INA,
New Delhi – 110 023.
4. The Director,
National Institute of Siddha,
Thambaram Sanitorium,
Chennai – 600 047.



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5. Dr.R.Meena Kumari
6. Dr.M.Meenakshi Sundaram
7. Dr.G.J.Christian
8. Dr.P.Shanmugapriya
9. Dr.A.Mariappan
- 10.Dr.V.Subha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st and 2nd respondents to take action on the complaint sent by the petitioner dated 05.10.2022 and 28.11.2022 in connection with the misappropriation committed by the 5 to 10 respondents.

For Petitioner : Mr.S.Conscious Ilango
For Respondents : Mr.A.Kumaraguru
Senior Panel Counsel – R1 to R3

ORDER

Mr.A.Kumaraguru, learned Senior Panel Counsel accepts notice for R1 to R3 and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission. R4 is the Director, National Institute of Siddha and R5 to R9 are private parties and no notice is thought necessary to them at this juncture bearing in mind the nature of order that is passed now.

2. This Writ Petition is filed seeking a mandamus simplicitor directing the first and second respondents to take action on the petitioner's complaints dated 05.10.2022 and 28.11.2022 in connection with alleged misappropriation



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committed by R5 to R10, who are the Directors and Professors in the National Institute of Siddha, Tambaram Sanitorium, Chennai.

3. The complaint dated 05.10.2022 has, admittedly, been received by R3 Central Vigilance Commission. Insofar as complaint dated 28.11.2022 is concerned, at page 30 of the typed set, online status report is placed, wherein the Central Vigilance Commission states that the complaint has been examined and forwarded to the concerned authorities for necessary action. At page 31, the Director of Ayush Bhavan, Ministry of Ayush, Siddha and Unani Section has called upon the petitioner to provide material in support of his allegations of misappropriation as alleged against the private respondents. The matter remains at that stage and no further action has been taken on the complaint despite the reminder issued on 19.12.2022 and hence the present Writ Petition.

4. Mr.Kumaraguru, learned Senior Panel Counsel for R1 to R3 assures the Court that necessary action will be taken within a period of twelve (12) weeks from today. He will ensure that all necessary parties i.e., R5 to R10 as well as the petitioner are heard and a detailed speaking order will be passed on the petitioner's complaint within the time frame as aforesaid in accordance with all Rules, Regulations and guidelines and in accordance with law. The principles of natural justice shall be adhered to scrupulously as well.



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Dr.ANITA SUMANTH,J.

5. Mandamus as sought for is issued and this Writ Petition is closed. No costs.

03.10.2023

Index : Yes / No
Speaking Order
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To

1. The Secretary, Union of India,
Ministry of Ayush, Ayush Bhavan,
B Block, GPO Complex, INA,
New Delhi – 110 023.
2. The Chief Vigilance Officer,
Ministry of Ayush, Ayush Bhavan,
B Block, GPO Complex, INA,
New Delhi – 110 023.
3. Chief Vigilance Commission,
Satarkta Bhavan, Block A
GPO Complex, INA,
New Delhi – 110 023.
4. The Director,
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