



W.P.No.14720 of 2017

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2023

CORAM :

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

AND

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

W.P.No.14720 of 2017

K.K.Ramesh

.. Petitioner

Vs.

1. The Union of India
Rep. by its Secretary
Ministry of Finance
Department of Economic Affairs
Room No.39-B, New Delhi – 110 001.
2. The Union of India
Rep. by its Chairman
Central Board of Direct Tax
New Delhi.
3. The State of Tamil Nadu
Rep. by its Chief Secretary
Secretariat, Chennai – 600 009.
4. The State of Tamil Nadu
Rep. by its Home Secretary
Secretariat, Chennai – 600 009.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the 2nd and 3 respondent to issue notification to all Department of Govt. Servants in Tamil Nadu government aided public servants, quasi government servants, public sector servants to submit reports of detail of their assets each year to their heads in turn the heads of departments ought to publish the details through Internet / On lines then only it will curtail the currently prevailing situation to ensure punishment to the offending officials such scam in allotment of River sand quarry permits scam in grant of License for Mines and Minerals scam in Granite Scam in Aavin Milk Scam in cutting of trees in Megamalai Scam in purchase of the Electricity scam in appointment of TNPSC Group – I for the posts of School Watchman on the basis of MLAs and Mps recommendation, scam in appointment of noon meal employees, scam in giving Government contractors in PWD & Highways etc., further, lot of criminal cases against former and present Ministers of the State Government, present and former MLAs and MPs of Tamil Nadu and against the present IAS, IPS and IFS Officers regarding misuse of their powers for corrupt practices and purchase of assets disproportionate to their known source of income and only then the administration will be functioning smoothly and the welfare scheme announced by the Government will reach the downtrodden people to enhance the prosperity and economic development by considering the petitioner's representation dated 15.03.2017.



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For the Petitioner : Mr.M.Puroshothaman

For the Respondents : Mr.G.Ilangovan
for R1

Mr.T.Ravikumar
for R2

Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader
for R3 & R4

ORDER

(Made by the Hon'ble Chief Justice)

We had heard the matter yesterday (ie., on 01.08.2023). We had kept the matter today for learned State Government Pleader to point out the provisions of the Tamil Nadu Government Servants' Conduct Rules, 1973.

2. The petitioner seeks directions that the Government Servants, such as Tamil Nadu Government aided Public Servants, Quasi Government Servants, Public Sector Servants should submit reports of details of their assets each year to their respective Heads of Departments, who ought to publish the details through Internet / online.



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3. Learned State Government Pleader pointed out Rule 7 of the Tamil Nadu Government Servants' Conduct Rules, 1973. Under the said Rule, a Government Servant has to seek prior sanction for purchase, sale or entering into transaction of an immovable property. Further, Rule 7(3) requires the Government Servant to submit return of his assets and liabilities and thereafter, every five years, he has to give return of his assets and his liabilities to his employer. The said return is required to be given of all immovable and movable properties, shares, debentures, cash, including bank deposits and also debts and other liabilities.

4. The Rule is in place. As far as furnishing the details online is concerned, it is for the State to consider the same. The State Government will have to take a policy decision in that regard.



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There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

02.08.2023

Index : Yes/No

Neutral Citation : Yes/No

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To

1. The Secretary
The Union of India, Ministry of Finance
Department of Economic Affairs
Room No.39-B, New Delhi – 110 001.
2. The Chairman
The Union of India
Central Board of Direct Tax , New Delhi.
3. The Chief Secretary
The State of Tamil Nadu
Secretariat, Chennai – 600 009.
4. The Home Secretary
The State of Tamil Nadu
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THE HON'BLE CHIEF JUSTICE
AND



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P.D.AUDIKESAVALU, J.

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