



W.P.(MD).No.7207 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.10.2023

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

WP.(MD).No.7207 of 2022

A.Velmurugan

... Petitioner

Vs.

1.The Assistant Director,
Directorate of Vigilance and Anti-Corruption,
Madurai.

2.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Dindigul Detachment.

3.The Inspector of Police,
Vigilance and Anti-Corruption,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent Nos.1 to 3 to take action on the petitioner's complaint dated 17.02.2022, under the criminal law in the light of the dictum laid down by the Hon'ble Supreme Court of India in the case of Lalita Kumari Vs. Government of Uttar Pradesh & Ors., reported in (2014) 2 SCC 1 as expeditiously as possible.



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W.P.(MD).No.7207 of 2022

For Petitioner : Mr.R.Anand
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

This writ petition has been filed to direct the respondent Nos.1 to 3 to take action on the petitioner's complaint dated 17.02.2022.

2. The petitioner herein made a serious allegation against the Sub-Inspector of Police, Kannivadi Police station. As per the allegation of the petitioner, that there is a civil dispute between the petitioner and his rival parties. In the civil dispute, the rival party has made a complaint against the petitioner to settle the issue. He said to have demanded the bribe amount and a sum of Rs.5,000/- has also been received based on which, he filed the complaint before the jurisdictional detachment, Vigilance and Anti Corruption Department. The said complaint also forwarded to the Superintendent of Police, Dindigul District. However, there is no action either by the Superintendent of Police, Dindigul District or by the Vigilance Department. Therefore, the petitioner herein has filed this writ petition before this Court to take necessary action, on the basis of the petitioner's



W.P.(MD).No.7207 of 2022

complaint.

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3. Earlier, when the matter is taken up for hearing, this Court directed the Superintendent of Police to file a report on the allegation made by the petitioner. Pursuant to which, the Superintendent of Police filed a final report stating that the amount is received only for the purpose of purchasing mask during Covid-19 and also departmental proceedings has been initiated. This Court is not satisfied with the report from the Vigilance Department. The Vigilance Department filed a report stating that the allegation against the petitioner is in the nature of the requirement of adjudication before the Tribunal for Disciplinary Proceedings, Madurai. which is as follows:

"(From the Directorate of Vigilance and Anti-Corruption Report No.PE 59/2023/POL/DL, dated 13.09.2023 - Allegation against Thiru.V.Sivaraja, Sub-Inspector of Police, (Group-B), Kannivadi Police Station, Dindigul District)

The copy of the Directorate of Vigilance and Anti Corruption's report cited is forwarded to Home Department.



W.P.(MD).No.7207 of 2022

WEB COPY

2.It is recommended that the Accused Officer Thiru.V.Sivaraja, Sub-Inspector of Police, (Group-B), Kannivadi police Station, Dindigul District, be placed on his defence before the Tribunal for Disciplinary Proceedings, Madurai, in respect of the substantiated recast main allegation as detailed in the Preliminary Enquiry report cited."

4. Recording the report filed by the Vigilance Department, this writ petition is disposed of with a direction to the Vigilance Department and Tribunal for Disciplinary Proceedings, Madurai to dispose of the proceedings within a period of nine months from the date of receipt of a copy of this order. The Vigilance Department is directed to co-operate for the disposal of the said proceedings as per law.

5. With the above direction, this writ petition stands disposed of.
There shall be no order as to costs.

30.10.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes/No
sbn



W.P.(MD).No.7207 of 2022

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- 3.The Inspector of Police,
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W.P.(MD).No.7207 of 2022

K.K.RAMAKRISHNAN, J.

sbn

WP.(MD).No.7207 of 2022

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