



W.P.(MD)No.9376 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2023

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CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.9376 of 2021

and

W.M.P.(MD)No.1227 of 2023

S.Raja Chandrasekar

... Petitioner

Vs.

1.The Government of India,
Rep. by the Director,
National Commission for S.C. Shastri Bhavan,
Block No.V, 2nd Floor, 26,
Haddows Road, Nungambakkam,
Chennai 600 006

2.The Government of Tamil Nadu
Rep. by its Secretary, Department of Revenue,
Old Building, Secretariat, St.George Fort,
Chennai 600 009

3.The Commissioner
Department of Revenue Administration,
Disaster Management and Mitigation,
Ezhilagam Buildings, Chepauk,
Chennai 600 005

4.The District Collector,
(Revenue Wing),
Tirunelveli District,
Tirunelveli

5.The District Adi Dravidar Welfare Officer,
Ground Floor, Collector Office,
Kokkirakulam, Tirunelveli-9.



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6.The Assistant Collector,
O/o. the Revenue Divisional Officer,
Collector Office Complex, Kokkirakulam,
Tirunelveli 9.

7.S.Kandasamy

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents No.4 5 and 6 to complete the enquiry proceedings and submit the final report to the 1st respondent and pursuant to the same, the necessary action may be taken on the grievance of the petitioner against the 7th respondent by the authority i.e. the 1st respondent within a time frame as stipulated by this Court.

For Petitioner	: Mr.S.Palani Velayutham
For R1	: Mr.K.Govindarajan Deputy Solicitor General
For R2 to R6	: Mr.A.K.Manikkam Special Government Pleader
For R7	: Mr.Anwar Sameem

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the respondents No.4, 5 and 6 to complete the enquiry proceedings and submit the final report to the 1st respondent and pursuant to the same, necessary action to be taken on the grievance of the petitioner against the 7th respondent by the first respondent within a time frame stipulated by this Court.



2.The fifth respondent has filed the counter affidavit on 23.05.2023

and the relevant portions are extracted hereunder:

“8.It is also respectfully submitted that similar complaint petition filed by one Tmt.Anuratha, a Village Administrative Officer against the said Thiru.Kandasamy was also enquired by the Assistant Commissioner of Police (L&O) Tirunelveli City and the allegations narrated by the said Village Administrative Officer was found to be false and exaggerated and hence the same was disposed accordingly.

As the similar allegations leveled by the writ petitioner and Thiru.Ramachandran and one Tmt.Anuratha were all enquiry in detail but found to be false and exaggerated. Similarly the writ petition filed by one Thiru.Ramachandran was also dismissed by this Hon'ble Court by order dated 01.03.2022 in W.P.(MD).No. 2296 of 2022. As the allegations raised by the petitioner are also of similar in nature which lacks merit and hence the 6th respondent herein has recommended that the writ petitioner may be directed to agitate the matter before the competent jurisdictional court. Accordingly the 6th respondent has submitted a detailed report in this matter as narrated above to the 4th respondent vide his report in Na.Ka.No.A4/3365/2022 dated 29.12.2022 along with connected records of enquiry.

The 4th respondent has sent a detailed report in this matter to the 1st respondent herein vide his Na.Ka.No.A2/32052/2020 dated 04.01.2023 by speed post on 04.01.2021. Since the final report has been sent to the 1st respondent, the writ petitioner becomes infructuous and hence it may be dismissed as infructuous.



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9.It is submitted that the averments of the petitioner made in Paras 1 to 16 of the affidavit are denied as false, vexatious and exaggerated in nature. The petitioner's representation was enquired by the 6th respondent and a detailed report along with connected records of enquiry were sent to the 1st respondent through the 4th respondent on 04.01.2023. Hence the request of the petitioner to enquire the matter in detail and to sent the report to the 1st respondent has been complied with. Similar allegation petition filed by one Ramachandran a Deputy Tahsildar of Tirunelveli District and the petition filed by one Tmt.Anuratha, Village Administrative Officer of Tirunelveli District were also duly enquired by the police authorities and the same was found to be false and baseless allegations and the same were disposed on merits."

3.Recording the above, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

17.10.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
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To

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<https://www.mhc.tn.gov.in/judis>



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N.ANAND VENKATESH, J.

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