



W.P(MD)No.28758 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2023

CORAM :

THE HONOURABLE MR.JUSTICE K.K. RAMAKRISHNAN

W.P(MD)No.28758 of 2022 and
WMP(MD).No.22740 of 2022

S.Murugesan

... Petitioner

Vs.

1.The Director,
Vigilance and Anti-Corruption,
No.293, MKN Road,
Alanthur,
Chennai.

2.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Theni District.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the communication, vide petition No.12158/2022/TNSTC/TN, dated 10.10.2022 made by the 1st respondent and quash the same and consequently, direct the 1st



W.P(MD)No.28758 of 2022

respondent to conduct enquiry on the petitioner's complaint, dated 28.09.2022 and proceed with the same in accordance with law so as to have a disposal over the same under the provisions of Prevention of Corruption Act, 1988 as expeditiously as possible within the time stipulation as prescribed by this Court.

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

ORDER

The petitioner, who is the driver of the Tamil Nadu State Transport Corporation Limited attached with Kumuli Lower Camp Branch, Theni District, Dindigul region filed this Writ petition to call for the records pertaining to the communication, vide petition No.12158/2022/ TNSTC/ TN, dated 10.10.2022 made by the 1st respondent and quash the same and consequently, direct the 1st respondent to conduct enquiry on the petitioner's complaint, dated 28.09.2022 within the time stipulated by this Court.

2. The petitioner made a complaint before the first



W.P(MD)No.28758 of 2022

respondent alleging that one Mr.B.Manivanan, Manager of the Bodi Depot, Transport Corporation Branch had committed some illegality in the process of receiving and converting old five hundred and Thousand Rupees note during the period of demonstration in the year 2016 and thereby, he acted as a agent of black money stockholder. He has also made a representation to the Principal Secretary to Government, Transport (D) Department, Secretariat, Chennai and the Principal Secretary has also conducted a detailed enquiry and found that the allegation made by the petitioner is not correct and the same was also communicated to the petitioner.

3. The copy of the said proceeding, dated 30.11.2022 in Ref.No.342/CA1/ HRD/TNSTC/ MDU/2022 was produced before this Court by the learned Additional Public Prosecutor.

4. This Court perused the report and found that there is no illegality committed by said Manivannan. The relevant portion of the said proceeding reads as follows:

“Regarding this, we would like to inform that



W.P(MD)No.28758 of 2022

on receipt of complaint from the Assistant Manager (Accounts) on 25.11.2016, disciplinary action was initiated against the staff concerned and punishment was awarded to that staff after completion of domestic legal proceedings. As the Branch Manager, Thiru.P. Manivannan was no way connected with this case, no disciplinary proceeding was initiated against him. Because, the collection cash is being received by the staff cashier from conductors and retained at branches. Next day, the shift cashier is remitting the cash at Bank. This is the usual practice being followed in Bank Remittance in all branches, the Branch Manager had not given any specific instruction to the cashier due to which there was no necessary to initiate legal action against the Branch Manager.

Hence, it is clearly under understood that the allegation lodged against Thiru P. Manivannan, Assistant Manager is only based on the personal motivation and intention.

The above individual written another complaint on Managing Director and Branch Manager regarding Veda sandhur branch vehicle operation and reply sent to the Principal Secretary



to Government, Transport Department on 02.09.2022. But knowingly again he wrote the false complaint against the Managing Director to the higher most dignitaries without knowledge of section head and department heads.

Further, the petitioner has alleged that the Divisional Manager, Theni post has been given to Thiru.P. Manivannan, Junior of 32 Officers of our Corporation. One Deputy Manager was absent at that time. That P.Manivannan, Assistant Manager (Operation & Squad) of Dindigul Region was directed to hold additional charge as Divisional Manager I/C (Theni Division) only on temporary basis. Subsequently, the Deputy Manager resumed for duty then another Deputy Manager Thiru. A.T.Natarajan, posted as Divisional Manager (Theni Division).

Thiru S.Murugesan, General Secretary of State Legal Rights Organization Trade Union who is working as Driver at Lowercamp Branch of Dindigul Region is not performing his routine work satisfactorily. He incorporate few employees with him and sending frequent allegation petitions to Government and propagate false news over whatsapp habitually, which was interrupting and



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W.P(MD)No.28758 of 2022

intimidating the management daily routines.”

5. In view of the above finding of the Principal Secretary to Government, Transport (D) Department, Secretariat, Chennai, there is no further adjudication necessary in this petition.

6. Accordingly, this Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

04.07.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
trp

To

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No.293, MKN Road,
Alanthur,
Chennai.

2.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
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3.The Inspector of Police,
Vigilance and Anti-Corruption,
Theni District.

4.The Additional Public Prosecutor,

6/7



W.P(MD)No.28758 of 2022

Madurai Bench of Madras High Court,
Madurai.

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K.K. RAMAKRISHNAN. J.,

trp

Order made in
W.P(MD)No.28758 of 2022 and
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Dated : 04.07.2023