



WEB COPY



W.P.No.12131 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2024

CORAM

THE HON'BLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.No.12131 of 2024

Nehru @ James

... Petitioner

Vs.

1.The Director,
Directorate of Vigilance & Anti Corruption Department,
Alandur, Chennai 16.

2.The Deputy Superintendent of Police,
Vigilance & Anti Corruption Department,
Cuddalore District, Cuddalore.

3.The Commissioner,
Commissionerate of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road,
MRC Nagar, Raja Annamalaipuram,
Chennai 28.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, for issuing a Writ of Mandamus directing the respondents 1 and 2 seeking a sanction to investigate into the matter from the 3rd respondent by considering the representation of the petitioner's dated 03.07.2023 and 08.07.2023 in accordance with law.



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For Petitioner : Mr.M.Velmurugan

For Respondents: Mr.S.Santhosh,
Government Advocate (Crl.Side)

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus directing the respondents 1 and 2 seeking a sanction to investigate into the matter from the 3rd respondent by considering the representations of the petitioner's dated 03.07.2023 and 08.07.2023 in accordance with law.

2. The petitioner had given a representation dated 03.07.2023 to the second respondent and subsequently, he gave another representation dated 08.07.2023 to the first respondent stating that the suspected official had abused his official position and colluded with contractors and got commission from them. Further, he stated that they laid poor quality road at Ward Nos.1 to 25 at Thittakudi Municipality by misappropriating the funds allocated by the Government for construction of cement road. Hence, the petitioner seeks necessary action against the officials.



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3.Heard the learned counsel for the petitioner and the learned

Government Advocate (crl.side) for the respondents.

4.The learned Government Advocate (crl.side) appearing for the first respondent submitted that the representation of the petitioner was scrutinized by the Directorate. The Directorate had forwarded the same to the Director of Municipal Administration, Chennai 28, for taking necessary action vide ref. In DVAC Petn.No.7826/2023/LB/CL, dated 19.07.2023 and the same was informed to the petitioner and has been proceeded further as per the instruction issued in Government Memo No.1356/64/2, Public (Services-B) dated 08.04.1964. In continuation of the above said communication, a letter was received from the Director of Municipal Administration, Chennai 28, vide R.O.C.No.598/2023/C2, dated 26.06.2024, stating that the Regional Director of Municipal Administration, Chengalpet has been nominated as Enquiry Officer to inquire the said representation of the petitioner, which is under progress. Since the Head of the Department is the Competent Authority to take appropriate action on the representation of the petitioner, it was forwarded to the Director of Municipal Administration, Chennai 28, for taking necessary action.



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5.In view of the submissions made by the learned Government Advocate (crl.side), this Court, without going into the merits of the case, directs the Director of Municipal Administration, M.R.C.Ngar, Chennai 28, to consider the representations of the petitioner dated 03.07.2023 and 08.07.2023 and pass appropriate orders in accordance with law, within a period of one month from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs.

05.07.2024

Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
vkr

To

1.The Director,
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Alandur, Chennai 16.

2.The Deputy Superintendent of Police,
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3.The Commissioner,
Commissionerate of Municipal Administration,
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Chennai 28.

4.The Director of Municipal Administration,
M.R.C.Ngar, Chennai 28.



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VIVEK KUMAR SINGH, J.

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