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W.P. No.25989 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2024

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**MR.JUSTICE N.SESHASAYEE**

W.P. No.25989 of 2024

G.Kumaresan

... Petitioner

Vs.

1.The District Collector  
Tirupattur District  
Tirupattur

2.The Director  
The Directorate of Vigilance and Anti-Corruption  
No.293, MKN Road  
Alandur, Chennai - 600 016

3.The Deputy Superintendent of Police  
Vigilance and Anti-Corruption  
No.92/2D, Kaliyappa Mudaliyar Street  
Opp to Sacred Heart College  
Tirupattur - 635 601

4.The Superintendent of Police  
Southern Range  
I/C North Range  
District Vigilance and Anti-Corruption  
Tirupattur - 635 601

5.M.Sivaprakasam  
Tahsildar  
Tirupattur Taluk & District

... Respondents



W.P. No.25989 of 2024

**PRAYER:** Writ petition filed under Article 226 of the Constitution of India for a writ of mandamus directing the 4th respondent to complete the enquiry against the 5th respondent on the complaint given by the petitioner in Complaint No.9716/2023/REV/TRP dated 30.08.2023 in accordance with law.

For Petitioner : Mr.M.P.Rajavelayutham

For Respondents : Dr.C.E.Pratap  
Govt. Advocate (Crl.Side)

### **ORDER**

This writ petition is filed for a direction to the 4th respondent to complete the enquiry against the 5th respondent on the complaint given by the petitioner in Complaint No.9716/2023/REV/TRP dated 30.08.2023.

2. The learned Government Advocate (Crl. Side) appearing for the respondents introduces the case as follows:

- The petitioner owns a block of land, for which patta had been registered in his name. According to the petitioner, the 5th respondent herein, the Tahsildar at the relevant time attempted to issue joint patta by including few others. He is also cellphonically alleged to have demanded a sum of Rs.20 lakhs as bribe to do favours for the petitioner. The petitioner did not



W.P. No.25989 of 2024

pay the money, the Tahsildar indeed had passed an order by including few more names to the patta which stood in the name of the petitioner. The petitioner had preferred a revision challenging the said proceedings of the Tahsildar and it is now pending adjudication by the DRO.

- Be that as it may, vis-a-vis the demand for bribe, the petitioner has approached the Department of Vigilance and Anti-Corruption with his complaint dated 12.08.2023. He followed it with W.P. No.29045 of 2023, seeking a direction of this court to the investigating agency to register his complaint and investigate the matter. It appears that the V&AC informs the court that the complaint of the petitioner had been forwarded by it to the District Collector. Therefore, this court vide its order dated 10.10.2023 directed the District Collector to complete the enquiry and pass orders within a period of twelve (12) weeks.

3. It is in this backdrop, the present petition is filed seeking a direction to the District Collector to complete the enquiry within a stipulated time.

4. The learned Government Advocate (Crl. Side) submitted that as per his instructions, the District Collector had concluded his enquiry vide proceedings



W.P. No.25989 of 2024

dated 18.03.2024. As per the report, he did not find any prima facie material to proceed against the 5th respondent, Tahsildar. He added that this prima facie implies that the Collector has literally decided not to grant sanction under Section 19 of the Prevention of Corruption Act, 1988, even if FIR is to be registered.

5. The minimum that this court can now do is to direct the 4th respondent to circulate a copy of the action drop report, if at all he has dropped further action in the matter at his end pursuant to the report of the District Collector and communicate the same to the other side.

6. With the above direction, the writ petition is disposed of. No costs.

10.09.2024

Asr

Index : Yes / No

Neutral Citation : Yes/No

To

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6.The Public Prosecutor, High Court, Madras.

N.SESHASAYEE, J.



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W.P. No.25989 of 2024

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W.P. No.25989 of 2024

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