



W.P.No.30219 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.11.2024

CORAM : MR.JUSTICE N.SESHASAYEE

W.P.No.30219 of 2024
and W.M.P.Nos.32904 of 2024

R.Karthick

... Petitioner

Vs.

1.The State Secretary, TANGEDCO
St. Fort George
Secretariat, Chennai

2.The Director
Directorate of Vigilance and Anti Corruption
No.293, MKN Road, Alandur, Chennai 600 044

3.The Deputy Superintendent of Police
Directorate of Vigilance and Anti Corruption
(TN State V & AC Department)
Thiruparuthikundram Road, Kanchipuram

4.The Director (Distribution)
Tamilnadu Electricity Generation and Distribution Corporation
Tamil Nadu Electricity Board Complex
144, Annasalai, Chennai 600 002

5.The Chief Engineer
Distribution, TANGEDCO
Kanchipuram Zone
Kanchipuram

6.K.Kannan,



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7.Ezhumalai

8.Killivalavan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, directing the 3rd respondent to remove the 7th respondent from conducting the enquiry on petitioner's complaint dated 04.06.2024 given against 8th respondent and consequentially appoint any other Enquiry Officer under the supervision of 3rd respondent and dispose of the same within the time stipulated by this Court.

For Petitioner : Mr.S.Veeraraghavan

For Respondent : Mr.K.M.D.Muhilan
Government Advocate (Crl. Side) - R1 to R3

Mr.David Sunder Singh - R4 to R8

ORDER

The present petition is filed seeking a direction to transfer the enquiry officer who is entrusted with the responsibility of giving his approval U/s.17(A) of Prevention of Corruption Act, 1988, on the ground that the very authority had required the petitioner to compromise with the person against whom he had levelled certain accusation.

2.Mr.David Sundar Singh, the learned counsel for the respondents 4 to 7 makes a statement that the enquiry officer indeed has been changed. This



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statement is recorded. He had also circulated a copy of the proceedings dated 13.11.2024 to that effect.

3.In view of the same, nothing survives for consideration in this petition and it is accordingly closed. The enquiry officer is required to bestow his best attention and lay his hands on every relevant material and not to rush for a mechanical approval without any application of mind, lest the objective behind Section 17(A) may go defeated. Having stated thus, this Court also underscores that the officer who will be now required to enter into the complaint is required to complete his responsibility within a period of four (4) months from today. No costs. It is, however, made clear that the person against whom the complaint is filed will not be entitled to challenge the correctness of the approval. Consequently, the connected miscellaneous petition is also closed.

20.11.2024

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Index: Yes /No
Neutral Citation



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N.SESHASAYEE, J.

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To

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