



W.P.(MD) No.15795 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.P.(MD) No.15795 of 2024

P.Veerapandian

... Petitioner

Vs.

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

2.The Director of General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai-600 004.

3.The Commissioner of Police,
Madurai City,
Madurai.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, directing the first respondent to initiate preliminary enquiry and further proceedings as described in the Vigilance Manual considering the petitioner's representation dated 05.02.2024, consequently direct the respondents 2 and 3 to take appropriate action within the stipulated period.



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For Petitioner : Mr.T.Indrachithu
For Respondents : Mr.S.Ravi
Additional Public Prosecutor

ORDER

This writ petition has been filed seeking direction to the first respondent to initiate preliminary enquiry on the basis of the representation dated 05.02.2024 and also direct the respondents 2 and 3 to take appropriate action.

2. The petitioner is a social worker and public interested person and also practicing Advocate before this Court. The petitioner made an allegation against one Mr.S.Velmurugan, who is working as the Assistant Commissioner Police (Intelligence Section), Madurai City. He has created a whatsapp group in the name of “VALARI” among his community police personnel from constables to DSPs working in Madurai City Police for collecting bribe and promoting Social disharmony in the society against the Rule.23 of Tamilnadu Government Servants Conduct Rules. The said Velmurugan is collecting nearly Rs.50,00,000/- (Rupees Fifty Laks only) as monthly mamool in the city and he is also collecting Mamools from all FL2 License Bars for selling



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liquors after permitted hours and he has fixed Rs.25,000/- to a bar a monthly Mamool. He made a strong allegation that every month they are conducting meetings and exchanging their views regarding all illegalities and he acts as gang leader, but projecting himself as a good police officer before the third respondent.

3. He further stated that the said Velmurugan is also owning an earth mover Company in the name of his brother-in-law, operating more number of JCBs and other large mining machines and involving in illegal sand mining activities through his brother-in-law and he has also constructed a big house worth in crores in Ponmani Nagar in Madurai, close to Mattuthavani Bus stand and also constructing a palatial house at his native place, namely, Kariapatti in Virudhunagar District. In these two years he has amassed wealth which even a direct IPS Officer can't dream of in his entire service. By stating all the allegation, the petitioner has made a representation dated 05.02.2024 to the first respondent and the same was not considered so far. Hence, the petitioner has filed the present writ petition before this Court.



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4. When the matter was taken up for hearing on 15.07.2024, 18.07.2024 and 22.07.2024, this Court directed the petitioner to prove the above said allegation by submitting materials, but he has not furnished any details so far. Today, when the matter was taken up for hearing, he sought permission of this Court to withdraw the writ petition with liberty to file a fresh petition.

5. Before making allegation against the Officers, it is the duty of the petitioner who is an Advocate to collect the material and thereafter only, he has to make a representation to the concerned respondent to take proper action. In this case, the petitioner made selective allegation against a Higher Officer with an intention to sully his image in the society. In the affidavit, the petitioner made serious allegations against the said officer with an ulterior motive which can not be approved of by this Court.

6. As per the direction of this Court, the respondents conducted enquiry and also found that the allegation made against the Said Velmurugan is false and also prayed this Court to impose heavy costs



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against the petitioner.

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7. The said Velmurugan's wife is also a public servant and she has obtained proper permission from the department to construct the house and also she obtained a loan from the Bank and constructed a house in the year 2015. Therefore, above said allegations are false.

8. By making false allegation against the Police Officer, the petitioner has filed this writ petition. If the said petition is allowed, every person will come up with allegation against every Officer.

9. Before making these type of allegations against any Officer, the petitioner has to collect the materials to prove the allegation. In this case, the petitioner made serious allegation against the said Velmurugan and did not produce any materials to prove the same. Therefore, this Court is inclined to dismiss this petition.



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10. Accordingly, this writ petition stands dismissed. There shall be no order as to costs.

31.07.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
tta/sbn

To

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K.K.RAMAKRISHNAN,J.,

tta/sbn

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Dated:31.07.2024