



W.P.(MD) No.10469 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

CORAM:

THE HONOURABLE MR.D.KRISHNAKUMAR,

THE ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.10469 of 2015

S.Vanchinathan

... Petitioner

-Vs-

- 1.The Joint Director and Head of Zone,
Central Bureau of Investigation,
III-Floor, E.V.K. Sampath Building,
College Road, Chennai – 6.
- 2.The Superintendent of ACB, Chennai,
Central Bureau of Investigation,
III-Floor, Sastri Bhavan,
No.26, Haddows Road,
Mungabakkam, Chennai – 6.
- 3.The Principal Secretary to the Government,
Department of Higher Education,
Government of Tamil Nadu,
Secretariat, Fort St.George, Chennai.



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4.The Registrar,
Madurai Kamarajar University,
Nagamalai Pudukottai, Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 herein to conduct a fair enquiry by a committee to be appointed by this Court and consequently, thereby initiate appropriate legal action as against the persons responsible for the corrupt practice including Criminal action based on the petitioner's representation dated 21.04.2015.

For Petitioner	: Mr.C.M.Arumugam
For R1 & R2	: Mr.C.Muthusaravanan Special Public Prosecutor for CBI
For R3	: Mr.P.Thilak Kumar Government Pleader
For R4	: Mr.T.Sakthikumaran

ORDER

[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondents 1 & 2 herein to conduct a fair enquiry by a committee to



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be appointed by this Court and for a consequential direction to initiate appropriate legal action as against the persons responsible for the corrupt practice including Criminal action based on the petitioner's representation dated 21.04.2015.

2.The petitioner has made serious and specific allegations in paragraph No.6 of the affidavit against the former Vice Chancellor of Madurai Kamaraj University and other syndicate members and also against the Registrar. The petitioner being a practicing Advocate in the Madras High Court has filed the present Writ Petition under the guise of a Public Interest Litigation, based on the Audit Report corresponding to the year 2014 - 2015.

3.The learned Counsel for the petitioner relying upon the audit report submitted that a large scale of malpractice and multi-core scam had happened during the tenure of the aforesaid Vice Chancellor and the syndicate members. In support of his contention, learned Counsel for the petitioner has also filed the audit report for the year 2014 – 2015, before this Court.

4.Since the writ petition has been taken up for hearing after nine [9] years, when this Court enquired that based on the audit report whether any further action has been taken on the lapses pointed out by the audit wing of the



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University, it is found that subsequently no action has been taken against the persons involved in the misappropriation.

5. In such view of the matter, we direct the third respondent to take necessary action based on the audit report corresponding to the year 2014 – 2015 for the lapses and serious irregularities pointed out against all those persons who were involved in such misappropriation. The third respondent shall initiate proceedings as early as possible, in accordance with law, after providing an opportunity of hearing to the parties concerned, within a period of four [4] months from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

[D.K.K., A.C.J.] & [R.V., J.]

26.07.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

MR



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To

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D.KRISHNAKUMAR, A.C.J.

AND

R.VIJAYAKUMAR, J.

MR

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