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W.P.Crl.No.580 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

WP Crl. No. 580 of 2025

G.Kumaresan

S/o. Gandhi, 63, Thamaraikulam,
Yelagiri Village, Jolarpet,
Tirupattur District.

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 Superintendent of Police
North Range, Vigilance and Anti-Corruption,
Chennai – 600 016.

4.M. Sivaprakasam
Now working at Collectorate, Tirupattur,
Tirupattur District.



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Respondent(s)

PRAYER : Writ Petition filed under Article 226 of Constitution of India praying to issue a writ of certiorarified mandamus calling for the records relating to the order passed by the 3rd respondent in DVAC Petition No.9716/2023/REV/TRP dated 22.05.2025, quash the same and direct the 3rd respondent to conduct the investigation on the petitioner's complaint dated 12.08.2023 against the 4th respondent for unlawful demand of bribe money and proceed with the investigation.

For Petitioner : Mr.M.P.Rajavelayutham

For Respondent-1 : Mr.V. Manoharan
Additional Government Pleader

For Respondents-2 &3 : Mr. Leonard Arul Joseph Selvam
Additional Public Prosecutor

ORDER

This petition has been filed for issuance of writ of certiorarified mandamus calling for the records relating to the order passed by the third respondent in DVAC Petition No.9716/2023/REV/TRP dated 22.05.2025, quash the same and direct the third respondent to conduct the investigation on the petitioner's complaint dated 12.08.2023 against the fourth respondent for unlawful demand of bribe money and proceed with the investigation.



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2.The petitioner sent a complaint on 12.08.2023 to the Director, Vigilance and Anti-Corruption, Chennai and Deputy Superintendent of Police, Vigilance and Anti-Corruption, Tirupattur making specific allegations against one Perumal, Gopal, Ramalingam, Govindaraj and Maari, who trespassed into the petitioner's land illegally and with muscle power and force encroached the petitioner's land. The petitioner earlier lodged a complaint and a case in Crime No.94 of 2021 registered by Elagiri Police, who arrested the encroachers and they were released on bail. Thereafter the said Govindaraj and Maari approached the revenue official one Sivaprakasam, Tahsildar/fourth respondent herein for issuance of joint patta in the petitioner's land. The said Sivaprakasam not considered the Tamilnadu Patta Pass Book Act, 1983, not conducted any proper enquiry or given any notice to the petitioner. This being so, on 04.06.2023, the petitioner came to know that in S.No.212/3 encroachers name is also included in the patta and attempts were made to survey the land and a complaint lodged against the petitioner. On 29.07.2023, notice was issued to the petitioner for enquiry by



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the Jolarpet Police Station calling upon the petitioner to appear on 02.08.2023. According to the petitioner, the complaint itself is a false one, since on the date mentioned in the complaint, i.e., on 20.05.2023, the petitioner went out of station with his family. However, the petitioner appeared on 02.08.2023 at that time the said Govindaraj informed had the petitioner gone by the advice of Tahsildar Sivaprakasan such situation would not have arose. The Govindaraj with the aid of revenue authorities manipulated the revenue records and the petitioner came to know that the Tahsildar had been influenced and also received some bribe amount while issuing the joint patta.

3.The petitioner's complaint was received by the second respondent. The second respondent forwarded the complaint to the third respondent, who in turn forwarded the complaint to the first respondent, thereafter too no action was taken. The third respondent being an Investigating Officer on getting information about the fourth respondent receiving bribe amount, tampering revenue records and committing cognizable offence, ought to have



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taken immediate action but had forwarded the complaint to the District Collector and not taken any action. Hence, the present petition is filed.

4.The learned Additional Public Prosecutor filed his counter on behalf of the second and third respondents submitting that the petitioner filed this Writ Petition with a prayer to issue a writ of certiorarified mandamus calling for the records relating to the order passed by the Superintendent of Police, North Range, V&AC, Chennai in DVAC Petn. No.9716/2023/REV/TRP, dated 22.05.2025, quash the same and direct the Superintendent of Police, Northern Range, DVAC to conduct investigation on the petitioner's complaint dated 12.08.2023 against the official Tr.Sivaprakasam, Tahsildhar, Tirupattur Taluk for unlawful demand of bribe money. The said petition was scrutinized in this Directorate and the same was forwarded to the District Collector, Tirupattur vide Ref. in DVAC Petn. No.9716/2023/Rev/TRP. dated 12.08.2023, since the allegations levelled in the petition requires verification of documents by the authority concerned. The above said forwarding of the petition was effected as per the instructions issued in Govt. Memo



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No.1356/64/2, Public (Services-B) dated 08.04.1964 and incorporated in Para 10(3) of the Manual of the DVAC.

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5.He further submitted that the petitioner already filed W.P.No.29045 of 2023 before this Court seeking a direction to the Superintendent of Police, North Range, V&AC to complete the vigilance Enquiry. This Court passed an order dated 10.10.2023 directing the District Collector, Tiruppathur to conduct enquiry and disposed the Writ Petition. According to the above order, the District Collector conducted an enquiry and passed order in the Ref No. COLREV/35228/20213/A1, dated 18.03.2024 stating that there is no evidence for illegal demand by the suspect official. The same was communicated to the petitioner and to DVAC. Again the petitioner filed W.P No.10880 of 2024 seeking for a direction to transfer the investigation of the case in CSR No.182/2024 at Jolarpet Police Station, Tiruppathur District to some other investigation agency. The petitioner mentioned the DVAC as the first respondent. The said writ petition was dismissed on 25.04.2024.



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6.He further submitted that the petitioner filed another W.P.No.14406 of 2024 praying to direct the respondent police i.e., the Inspector of Police, Jolarpet Police Station to complete the investigation on the complaint given by the petitioner against the suspect officer in CSR No.182/2024 dated 09.03.2024. This petition was also disposed of. Again the petitioner filed W.P.No.25989 of 2024 for directing the Superintendent of Police, North Range, DVAC, to complete the enquiry on the complaint given by the petitioner in Complaint No.9716/2023/REV/TRP dated 30.08.2023. This Court, passed an order on 10.09.2024 directing the Superintendent of Police, Northern Range, DVAC, Chennai to circulate a copy of the action dropped 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 and the writ petition was disposed of. The action dropped report of District Collector, Tiruppattur was communicated to the petitioner by DVAC on 22.05.2025. As per the enquiry report of the District Collector, Tiruppattur



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no *prima facie* was made out in the allegation against Tr.Sivaprakasam, Tahsildahr, Tiruppattur for demanding bribe money from the petitioner.

7.Mr.V.Manoharan, the learned Additional Government Pleader appearing for the first respondent submitted that the District Collector/first respondent conducted detailed enquiry and passed an order on 18.03.2024. He further submitted that during enquiry the fourth respondent/Tahsildar, the petitioner and the said Govindaraj, Maari, Ramalingam all were enquired and thereafter detailed order was passed finding that there is no demand of any bribe amount. Now the petitioner not challenged the order dated 18.03.2024 passed by the first respondent/District Collector. The petitioner challenged the order passed by the Tahsildar before the Revenue Divisional Officer and the Revenue Divisional Officer confirmed the order of the Tahsildar, against which, the petitioner filed an appeal before the District Revenue Officer, which was also dismissed, against which, he filed a writ petition in W.P.No.8112 of 2025 and this Court by the order dated 12.03.2025 stayed the



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order passed by the District Revenue Officer. The petitioner without challenging the order of the first respondent/District Collector cannot now reopen the case by filing the above petition.

8.The learned counsel for the petitioner strongly opposed the first respondent's contention and submitted that the order of the District Revenue Officer has been challenged in W.P.No.8112 of 2025 and this Court finding *prima-facie* case in favour of the petitioner, stayed the order of the District Revenue Officer. That is with regard to interpolation and also adding some more persons in the patta of the petitioner. The petitioner has been in exclusive possession and enjoyment of the property and in support of the case he has also produced the revenue records. The Vigilance and Anti-Corruption washing out the responsibility by stating that complaint has been forwarded to District Collector, Tiruppattur by communication dated 22.05.2025 is not proper.



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9.Considering the submissions made on either side and on perusal of the materials, it is seen that the primary issue is issuance of Joint Patta in the name of other persons by the Tahsildar, which is now challenged in W.P.No.8112 of 2025 and pending before this Court. The outcome of the writ petition would have a bearing and gain steam on the petitioner's contention whether Tahsildar acted otherwise than in accordance with law or for some consideration. In such event, after the orders are passed in W.P.No.8112 of 2025, if it is found that Tahsildar had issued joint patta for other consideration, thereafter the petitioner to forward the copy of the order of writ petition to Vigilance and Anti-corruption, who shall take action in accordance with law. The petitioner is also at liberty to challenge the order passed by the first respondent/District Collector dated 18.03.2024.

10.With the above directions, the Writ Petition is disposed of.

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Index : Yes / No

Neutral citation : Yes / No

Speaking / Non-speaking order

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