



W.P.Crl.(MD) No.298 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :02.07.2025

CORAM:

THE HONOURABLE DR JUSTICE R.N.MANJULA

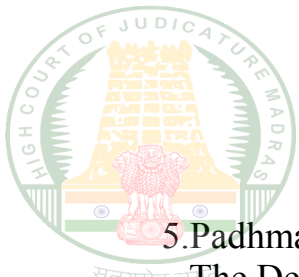
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K.R.S.Kathiravan,
(Chairman, Registration no.10/2014),
Dr.M.G.Ramachandran Trust,
Kandipatti, Sengulipatti Post,
Kalaiyarkovil Union,
Sivaganga District

... Petitioner

Vs.

- 1.The Director of Vigilance and Anti-Corruption,
Directorate of Vigilance and Anti-Corruption,
No.293, MKN Road, Alandur,
Chennai.
- 2.The District Collector,
Sivaganga District Collectorate,
Sivaganga District.
- 3.The Deputy Superintendant of Police,
Vigilance and Anti-Corruption,
Sivagangai District,
Sivagangai.
- 4.Palaniyammal,
The Block Development Officer,
(presently holding post at Devakottai Panchayat Union),
Sivaganga District.



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5.Padhmanabhan,
The Deputy Block Development Officer,
Sivaganga Panchayat Union,
Sivaganga District.

6.Raja,
The Assistant Engineer,
Sivaganga Panchayat Union,
Sivaganga District-630 561.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 3 to take action against the respondent Nos.4 to 6 in the light of G.O.No.81 of 2022 dated 04.08.2022 by considering the petitioner's representation dated 22.03.2025.

For Petitioner : M/s.C.Geetha

For Respondents : Mr.R.Meenakshi Sundaram (for R1 & R3)
Additional Public Prosecutor
Mr.A.Oliraja (for R2)
Government Advocate

ORDER

This writ petition is filed seeking a direction to the respondents 1 and 3 to take action against the respondents 4 to 6 in the light of G.O.No.81 of 2022 dated 04.08.2022 by considering the petitioner's representation dated 22.03.2025.



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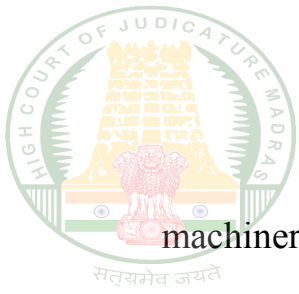
2. The petitioner is a social activist and he is a representative of the Farmers' Association in his village namely, Kandipatti. He is also the President of one registered public charitable trust in the name and style Dr.M.G.Ramachandran Trust and Welfare of Agriculturists, situated at Kandipatti Village, Sivagangai District. However, this petition has been filed in his personal capacity and not in the representative capacity of the trust. It is further submitted that the petitioner is engaged in promoting rural development, transparency in governance, and safeguarding public interest. It is submitted that he has been monitoring instances of corruption and misappropriation of funds and abuse of official position by the authorities and used to make representation. The fourth respondent/Block Development officer is presently posted at Devakottai Panchayat Union and she has previously served in various Panchayats. It is alleged by the petitioner that she has indulged in grave financial irregularities, corrupt practices and misuse of official authority in collusion with the respondents 5 and 6. The petitioner has listed certain violations against the respondents 4 to 6 and made several representations to the authorities concerned. Since no action has been taken by the respondents 1 to 3, the present petition has been filed.



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3.The learned Additional Public Prosecutor appearing for the respondents 1 and 3 submitted that the petitioner is in the habit of making several representations and he is inimical towards the fourth respondent, as his father had served as a councillor for the same village panchayat. When the petitioner claims that he is safeguarding the public interest, the State should see that he has filed the petition in his private capacity, by claiming that he has registered a trust to safeguard those interests. Further, this litigation has not been filed as a Public Interest Litigation, but merely as a writ of mandamus seeking a direction to the respondents 1 to 3 to initiate action against respondents 4 to 6. Hence, he prayed to dismiss this petition.

4.The learned Government Advocate appearing for the second respondent submitted that earlier, for certain violations, disciplinary action was initiated against the fourth respondent. Some of the charges were proved, while others are still pending in this case. Even though the public should not be discouraged from exposing fraudulent and corrupt activities of individuals, who hold public office and manage public funds, the petitioner cannot be allowed to arrogate to himself the role of a superior officer over all the respondents and file repeated petitions seeking directions, thereby stalling the proper functioning of Government



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machinery. Even though the earlier petition, W.P.(MD).No.6287 of 2024, was filed by the same petitioner on the same allegations, this petition has been filed again seeking the same relief, but in a different manner. Hence, he prayed to dismiss this petition.

5. According to the respondents 1 to 3, the petitioner is in the habit of making several representations against the Government officials, using the threat of filing petitions and extracting money from them. The petitioner himself has been involved in creating false voter I.Ds. In this regard, a news report has been produced to show that a complaint was given by some private persons before the learned Judicial Magistrate No.II, Sivagangai, on the allegations that the petitioner colluded with some other persons and created false records like forged voter I.Ds and used the same during the registration of documents in the Sub-Registrar Office. As per the order passed in Crl.M.P.No.373 of 2021, by the learned Judicial Magistrate No.II, Sivagangai, the Inspector of Police, District Crime Branch, Sivagangai, has registered a case in Crime No.10 of 2021 against the petitioner for the offences punishable under Sections 419, 468, 471, 420 and 120B of IPC and 72 and 73 of Information Technology Act, 2000. However, the official respondents themselves are initiating appropriate action whenever lapses on the part of their officials are noticed by them. A direction in the form of a Writ



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of Mandamus should not be granted to impose a more precise obligation on the public authority. This would not only create unnecessary tension for the concerned authorities in executing their functions, but also compel them to act in a biased manner due to the pending court proceedings.

6. An authority is expected to be fair in performing the public functions. It is equally fair to allow him to exercise autonomy within his powers without any external disturbance. As the petitioner himself appears to be involved in certain cases, and is said to have registered a trust purportedly for safeguarding public interests and already filed a similar petition, I find no reason to issue the direction now requested, particularly in a petition filed by him in his private capacity. When there are grounds to believe that this petitioner has got some personal animosity with the fourth respondent, no person including the petitioner can be permitted to abuse the process of the Court in the name of public interest to serve their personal motives. As the petitioner has already filed a petition on the same issue, which is still pending, the present petition is nothing but the same wine in a new bottle. The process of this Court shall not be abused for issuing repeated directions. Hence, this Court is inclined to dismiss this petition.



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7. Accordingly, this writ petition criminal is dismissed.

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NCC: Yes/No
Index: Yes/NO
vsg

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