



W.P.CRL(MD) No.390 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2025

CORAM

THE HONOURABLE DR.JUSTICE R.N.MANJULA

W.P.CRL(MD) No.390 of 2025

Saritha

... Petitioner

Vs

1. The Director,
Directorate of Vigilance and Anti-Corruption (DVAC),
No.293, MKN Road, Alandur, Chennai - 600 016.
2. The Superintendent of Police, Southern Range,
Vigilance and Anti-Corruption,
Chennai - 600 016.
3. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Thanjavur.
4. The Superintendent of Police,
Thanjavur District.
5. The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to complete the enquiry into the petitioner's complaints dated 29.04.2025 and 18.01.2025 within a time frame as may be stipulated by this Court.

For Petitioner : Mr. R.Ponkarthikeyan

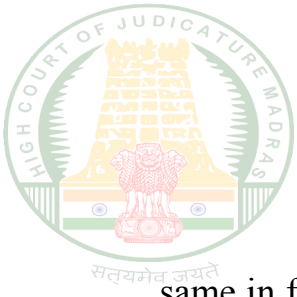
For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

Heard Mr.R.Ponkarthikeyan, learned counsel for the petitioner and Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor, for the respondents.

2.This writ petition has been filed seeking a direction in the form of Mandamus against the respondent to complete the enquiry on the petitions given by the petitioner, dated 29.04.20215 and 18.01.2025.

3.The petitioner is a permanent resident of Singapore. She had purchased a property from one Anjalai and Lakshmi Ammal and had constructed a house. She had also obtained EB connection and property tax in her name. The very same vendor had settled the property after she had sold the



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same in favour of her daughter, Sangeetha. The settlement deed has been made by suppressing the earlier sale deed. The said Sangeetha had influenced the public authorities and got the revenue records mutated in her name without having regard to the earlier conveyance already made in favour of the petitioner.

4.By making use of the settlement deed, the said Sangeetha is said to have obtained a loan by mortgaging the property from one APTUS Housing Finance. Thereafter, she had also executed a sale agreement in favour of a third party and attempted to alienate the property. In this regard, the petitioner has filed a complaint on 18.01.2025 before the 5th respondent police and it has been considered as a petition in CSR No.43 of 2025. However, no FIR has been registered or enquiry has been initiated against the authorities, who allegedly colluded with the Sangeetha. So the petitioner has filed this petition seeking a direction against the respondents 1 to 3 to complete the enquiry as against the public officials and against the respondents 4 and 5 to complete the inquiry in CSR No.43 of 2025.



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5.The learned counsel for the petitioner submitted that the Superintendent of Police, Central Range, Vigilance and Anti-Corruption, Chennai on the instructions of the first respondent had perused the complaint of the petitioner, dated 29.04.2025 and came to know that the petitioner had made allegations against the Sub Registrar, Pappanadu and others. Hence, he had written a letter to the Inspector General of Registration, Chennai and the District Collector, Thanjavur to initiate action at their end.

6.It is also learnt from the letter sent by the Superintendent of Police, Central Range, Vigilance and Anti-Corruption to the petitioner that the verification of the document is being made by the concerned department and the petition has also been forwarded to the District Collector, Thanjavur District and copy of the same is forwarded to the Inspector General of Registration to take action at their end.

7.While making submission on behalf of the Government, the learned Additional Public Prosecutor attracted the attention of this Court to the Manual for Directorate of Vigilance and Anti-Corruption approved by the Government of Tamil Nadu in G.O (3D) No 2, Personnel and Administrative



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Reforms (Personnel-N) Department, dated 06.01.1993 and more specifically, regulation under 10(3) Part 2 of the said manual of instruction. Section 10(3) of the manual would read as under:

“10.Actions on petitions received:

...

(3).Petitions which contain allegations of corruption misconduct or irregularities of a nature on which the Director considers that the Directorate need not initiate action, will be forwarded tot he Heads of Departments concerned. If the petitions signed or otherwise, contain specific allegations which prima facie can be verified to be correct or otherwise by a scrutiny of the relevant files/accounts, etc., they will be referred to the Head of the Department concerned with a covering letter, appropriately worded suggesting that he may have the allegations examined by reference to the relevant files.”



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8.As per the above regulation, the Director of VANC need not initiate action, if he considers that the allegation of corruption, misconduct or irregularities does not require any action at his end, he will forward the same to the concerned Head of the Department to initiate further action.

9.It appears that the Superintendent of Police, Central Range, Vigilance and Anti-Corruption has arrived at the conclusion that he need not initiate further action on the complaint sent by the petitioner, dated 29.04.2025, as it involves general allegation against the public authorities.

10.On perusal of complaint of the petitioner, dated 29.04.2025, it appears that she had made allegations against certain officials namely the Sub Registrar of Pappanadu and Revenue Officials of Orathanadu and the officials of Thirumangalkottai Keezhaiyur Village, Orathanadu Taluk, Thanjavur District that they have received bribe in order to create documents in favour of Sangeetha, knowing pretty well that the property belongs to the petitioner.

11.Apart from the above complaint given to the Director of Vigilance and Anti Corruption, the petitioner has also given a complaint



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against the private individuals, who have involved in the fraudulent transaction, before the 5th respondent Police.

12.The information given to the petitioner on 16.06.2025 by the Superintendent of Police, Central Range, Vigilance and Anti-Corruption that the complaint of the petitioner has been sent to the District Collector of Thanjavur District and copy of the same sent to the Inspector General of Registration for taking necessary action at their end.

13.The District Collector and the Inspector General of Registration at the best can only take disciplinary action against the individual Officer, working in the Revenue Department and Registration Department respectively and they cannot initiate any criminal action, if they are found to have received any bribe for issuing documents by committing fraud and on getting bribe.

14.So the Superintendent of Police, Central Range, Vigilance and Anti-Corruption, Chennai could have kept the file by seeking a report from the concerned Head of the Department. This can also be done by requesting the Heads of the Departments to take further action.



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15.The Superintendent of Police, Central Range, Vigilance and Anti-Corruption could have kept the original complaint with him by sending copies of the same to both the Department Heads viz., District Collector and Inspector General of Registration for initiating action at their end.

16.So far as the complaint given by the petitioner to the 5th respondent is concerned, it is learnt that it has been given with CSR No.43 of 2025 and was closed on the ground that the petitioner and Sangeetha are sisters and they have agreed to settle the dispute before elders. It is submitted by the petitioner that she is not aware of the closure report given to her complaint.

19.Even in the closure report produced before the Court would show that there are grounds to show that the Sangeetha is involved in fraud and obtained 8 lakhs from the Bank. When there are prima facie grounds to show that the criminal act has been committed, it is obligatory on the part of the 5th respondent to register an FIR and not to close it in the manner not known to law and that too, without giving any notice to the complainant.



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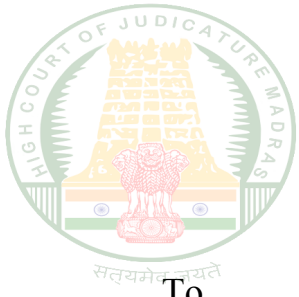
20. In view of the above observations, there shall be a direction to the 1st respondent to instruct the Superintendent of Police, Central Range, Vigilance and Anti-Corruption, Chennai to get a report from the District Collector, Thanjavur and the Inspector General of Registration with regard to the allegations made in the petition of the petitioner, dated 29.04.2025 and thereafter, depending on the report take up further action in accordance with the guidelines.

21. The 5th respondent is directed to initiate action on the complaint given by the petitioner, dated 18.01.2025, as he has come to know that there are prima facie grounds for fraud committed by Sangeetha and investigate further and file a report in the manner known to law.

22. With the above direction, this writ petition is disposed of.

03.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



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To

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6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.N.MANJULA, J.

PNM

ORDER IN
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