



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

WP Crl. No. 1506 of 2025

S.P.Thiyagarajan
S/o. Palanisamy,
No.21, GRG Nagar,
Sowripalayam,
Coimbatore-641028.

..Petitioner(s)

Vs

1. The Director,
Directorate of Vigilance and
Anti Corruption (DVAC)
No.293, MKN Road, Alandur,
Chennai-600016.
2. The Superintendent of Police
Western Range,
Directorate of Vigilance and Anti-Corruption,
Chennai-600016.
3. Jayalakshmi
Presently working at
Assistant City Planner,
Udumalpettai Municipality,
No.149/263, Dhali Road,
Udumalpettai-642126.
4. The Director of Municipal Administration
M.R.C. Nagar, Chennai-28.

..Respondent(s)



PRAYER: The writ petition criminal filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the 1st and 2nd respondents to conduct a proper enquiry and register a First Information Report on complaint dated 20.06.2024 Petition No.7678/2024/LB/CB against the 3rd respondent after seeking previous approval under section 17A(1) of the Prevention of Corruption Act,1988, and investigate the same in accordance with law within a time frame fixed by this Hon'ble Court.

For Petitioner(s): Mr.S. Arun Kumar

For Respondent(s): Mr.S.Udayakumar
Govt. Advocate (CrI.Side)
for R1 & R2

Mr.K. Rajkumar -For R3

No appearance – for R4

ORDER

This writ petition criminal has been filed to direct the 1st and 2nd respondents to conduct a proper enquiry and register an First Information Report on the petitioner's complaint dated 20.06.2024 (Petition No.7678/2024/LB/CB) against the 3rd respondent after seeking previous approval under section 17A(1) of the Prevention of Corruption Act,1988, and investigate the same.



2.This Court, on an earlier occasion i.e. 16.12.2025, passed the following order, which reads as follows:

“The petitioner sent a complaint dated 20.06.2024 to the first respondent. Thereafter, no action has been taken on the petitioner’s complaint. The specific complaint of the petitioner is that he highlighted serious allegations of misconduct and corruption committed by third respondent herein in discharging her official duties as Assistant Executive Engineer, Coimbatore City Municipal Corporation. Now, the third respondent transferred as Assistant City Planner, Udumalpettai Municipality.

2.Earlier, the petitioner filed a writ petition in W.P.No.34005 of 2019 and this Court, by order dated 18.04.2022, disposed of the writ petition and directed the civil body to submit a detailed counter affidavit regarding the encroachments on Singanallur Lake bank. As per the High Court order, survey of the lake bank was to be conducted and a report submitted. Thereafter, no action has been taken.

3.The petitioner sought information through RTI and found there contravention of the Tender Transparency Act, Misuse of Position and Mishandling of Files, Bypassing Technical Advice, Unrealistic Procurement of Quotations and Failure to Verify and Causing Financial Loss, Lack of Superior Approval, and Systematic Exclusion of Surveyor. All found and complained with all complete details in the complaint.



Thereafter, the petitioner not aware about what happened to this complaint and hence, filed this writ of Mandamus.

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4.The learned Govt. Advocate (Crl.Side) appearing for the respondent Nos.1 & 2 filed a status report submitting that the petitioner's complaint was received by the Directorate of Vigilance and Anti-Corruption (DVAC) on 25.06.2024 and the same was forwarded to the Director of Municipal Administration, M.R.C. Nagar, Chennai – 28, vide petition No.7678/2024/LB/CB dated 28.06.2024 for the reason the allegation levelled in the petition requires verification of documents by the authority concerned and hence, the complaint was forwarded following the Government Memo No.1356/64/2, Public (Services-B) dated 8.4.1964, which incorporated in paragraph 10(3) of the Manual of the DVAC. Since nothing is pending with V&AC, he is unable to further answer the queries raised.

5.Further, the learned Govt. Advocate produced the letter forwarded to the Director of Municipal Administration, the 4th respondent. From the communication dated 28.06.2024, it appears that the Vigilance and Anti-Corruption, after forwarding the complaint, has no records or no device to verify the status of the complaint, namely what action has been taken. Whether at all the Director of Municipal Administration, had got any verification, thereafter, it is not known what steps have been taken. Further, the learned Govt.Advocate submitted that the status of forwarding letter to Director of Municipal Administration was informed to the petitioner by



communication dated 28.06.2024. From these submissions, it is seen that the Directorate of Vigilance and Anti-Corruption acted as a post office by forwarding the complaint and thereafter, left it at that stage without any device or method to verify the status of the complaint or at least to know what steps have been taken by the Director of Municipal Administration.

6.In view of the above position, this Court directs the learned Govt. Advocate (Crl.Side) through Government Pleader Office to make appropriate arrangements to find out the status of the petitioner's complaint dated 20.06.2024, which is now pending with the 4th respondent. The petitioner is also directed to take private notice to the 4th respondent.

7.List the matter on 12.01.2026."

3.In continuation of order of this Court dated 16.12.2025, private notice has been taken to the 4th respondent and in support of the same, counsel for the petitioner produced affidavit of service before this Court.

4.Mr.K.Rajkumar, counsel for the 3rd respondent submitted that the 3rd respondent was called for enquiry and attended enquiry, wherein she was permitted to peruse the documents. Thereafter, she gave her explanation. The enquiry officer found that the third respondent carried out the work pursuant to the order passed by this Court dated 18.04.2022 in W.P.No.34005 of 2019 and



had taken steps for removal of encroachment. Since it was a court directed case, the third respondent had to act in alacrity and hence, taken whatever service available and conducted the survey to find out the encroachment and filed her report. This was explained to the enquiry officer Assistant Commissioner, Revenue, who had conducted an enquiry on 11.08.2025.

5.The Petitioner claiming himself to be a whistleblower under RTI Act has been sending such complaints, thereby effective functioning of the officials.

6.Counsel for the petitioner strongly objected to the same and referring to the audit report in Na.Ka.No.e-262068/A1/2025 dated 08.09.2025 submitted that the petitioner paid Rs.3,43,034/- to M/s. SRM Associates Pvt. Ltd., without collecting any invoice, as found in the report issued by the Deputy Commissioner, Corporation, Coimbatore and what had happened to this notice and this notice confirms that the 3rd respondent had made illegal gains.

7.The learned Govt.Advocate (CrI.Side) for the first and second respondents filed additional status report on 29.01.2026. From the report, the relevant portion of para 5 & 6 are extracted hereunder:

5.It is respectfully submitted that the said petition was scrutinized in this Directorate and the same was forwarded to the Director of Municipal



Administration, M.R.C.Nagar, Chennai – 28 on 28.06.2024 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 No.1356/64/2, Public (Services-B) dated 08.04.1964 and incorporated in para 10(3) of the Manual of the DVAC.

6.It is submitted that the enquiry report was received from the Director of Municipal Administration, Chennai in Na.Ka.No.19276/2024/பொ.நி.2 dt.24.12.2025. The Enquiry officer has reported that no irregularities were committed by the suspect officer Tmt.Jayalakshmi, Presently working at Assistant City Planner, Udumalpettai Municipality and that the work was carried out as per the instructions of the Commissioner of Coimbatore Corporation and that the amount was spent within the sanctioned limit of the Commissioner and, no loss was incurred to the Corporation.”

8.Further, he produced the enquiry report submitted by the Assistant Commissioner, Revenue, Coimbatore Corporation. On perusal of the report, it is seen that Singanallur lake was surveyed using DGPS. There was scarcity of the device and later, it was sourced from Valparai region. Further, there was an impending Court order to be complied with, on the directions of the Corporation Commissioner and to comply with the Court order, emergency steps have been taken. Third respondent on 19.04.2022 along with Sub Inspector of Town survey, conducted survey using DGPS device and thereafter, a blue sketch was prepared by the Town surveyor. The report is a detailed one. The findings of



the report is that the Corporation Commissioner has got a financial powers up to Rs.10,00,000/- and the amount of Rs.3,43,034/- has been duly approved by the Corporation Commissioner, Coimbatore. Hence, there is no irregularity committed in this case as projected by the petitioner.

9.Considering the above submission and on perusal of the materials available on record, it is seen that during pendency of the above writ petition, enquiry conducted and the enquiry officer had given a report finding that there is no financial irregularity, raising of audit objection would not straight away amount to any criminality in this case. Audit objection considered, further expense incurred approved by the Commissioner, Corporation of Coimbatore.

10.In view of the above, nothing further survives in this writ petition criminal. Accordingly, the writ petition criminal is dismissed.

11-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
sms



To

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4. The Director of Municipal Administration
M.R.C. Nagar, Chennai-28.
5. The Public prosecutor
High Court, Madras.



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WP CrI. No. 1506 of 2



M.NIRMAL KUMAR, J.

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WP CrI. No. 1506 of 2025

11-02-2026