

WP CRL.(MD). No.2419 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 25.06.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

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and

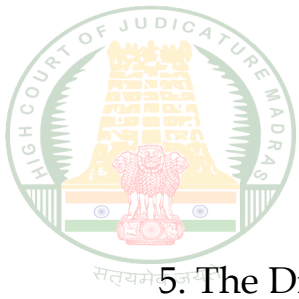
WMP CRL.(MD)No.592 of 2026

P.Subramanian

... Petitioner

Vs

1. The Secretary,
Government of Tamil Nadu,
Labour Welfare & Skill Development Department,
Secretariat,
Chennai – 600 009.
2. Commissioner of Labour,
6th Avenue,
B – Block, Anna Nagar,
Chennai – 600 040.
3. The Secretary,
Human Resources Management Department,
(Previously known as Personnel
and Administrative Reforms Department)
Secretariat, Chennai – 600 009.
4. The Vigilance Commissioner,
Secretariat,
Chennai – 600 009.



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5. The Director,
Directorate of Vigilance and Anti-Corruption
No.293, MKN Road, Alandur,
Chennai – 600 016.

6. J.Rupa Geetharani
Inspector of Police
Vigilance and Anti-Corruption
Dindigul.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records culminating in preliminary enquiry bearing proceedings PE53/2024/LAB/DL, vide Notice dated 08.01.2025 issued by the 6th respondent and quash the same by taking into consideration the representation dated 27.03.2026 sent by the petitioner.

For Petitioner : Mr.V.Raghavachari,
Senior Counsel
for Ms.M.E.Kannammai
For R1 to R3 : Mr.S.Siva Subramanian,
Government Advocate (Civil side)
For R4 and R5 : Mr.A.Robinson,
Counsel for State of Tamil Nadu
(Crl. Side)



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ORDER

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The petitioner is working as Joint Commissioner of Labour in Dindigul District. He is due to be promoted as Additional Commissioner of Labour in the month of January 2027. He claims that, in order to circumvent his promotional opportunities, the first respondent has ordered for an enquiry by the Vigilance and Anti-Corruption Department based on an anonymous complaint. According to him, the reference for an enquiry on an anonymous letter, is against the guidelines laid down by the Government in G.O.Ms.No.173, Personnel and Administrative Reforms (N) Department, dated 19.12.2018. Therefore, the petitioner has filed this writ petition seeking to quash the notice dated 18.01.2025 issued by the Vigilance and Anti-corruption Department, Dindigul, calling upon him to produce the log book of Ambassador Car allotted to the Joint Commissioner of Labour Department, Dindigul, for the period from 01.06.2023 to 31.07.2024.

2.Learned Senior Counsel appearing for the petitioner submitted that the petitioner is a Group-I officer recruited through TNPSC; he has



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secured 1st mark in the TNPSC Group-I cadre - Assistant Commissioner of Labour Examination and he has rendered 18 years of unblemished service. However, based on an anonymous complaint, this preliminary enquiry has been initiated as against the petitioner. By referring to G.O.Ms.No.173, Personnel and Administrative Reforms (N) Department, dated 19.12.2018, the learned Senior Counsel submitted that this preliminary enquiry is against the guidelines issued by the Government in the said government order and therefore, it needs to be quashed. He claimed that the preliminary enquiry has commenced on 29.08.2024 and has been kept pending in order to scuttle the promotional opportunity of this petitioner.

3.Learned Senior Counsel for the petitioner has pointed out that the petitioner is holding quasi-judicial powers and has disposed of 481 cases, which were registered under the Minimum Wages Act in Madurai and Dindigul regions. The petitioner was in fact appreciated by a Division Bench of this Court in W.P.(MD)No.12712 of 2022 dated 23.06.2022 and he had rendered exemplary service in the Department



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and now, he has been targeted, since his promotion is due on 01.01.2027.

The learned Senior Counsel also pointed out that without providing an opportunity and without showing the complaint to the petitioner, the enquiry is being conducted behind his back. The Government Order in G.O.Ms.No.173 mandates for furnishing the complaint copy, however, without furnishing the complaint copy, they are conducting the enquiry and that too from 29.08.2024.

4.Learned Counsel appearing for State of Tamil Nadu (Crl. Side) submitted that the Vigilance and Anti-Corruption Department have registered the preliminary enquiry, based on the Government Letter No. 3103/E1/2024-1 of Labour Welfare and Skill Development Department, dated 04.06.2024. The Secretary to Government, Labour Welfare and Skill Development Department has forwarded a complaint, received by him, to the Director of Vigilance and Anti-Corruption Department that the complaint discloses certain *prima facie* materials and therefore, requested the Vigilance and Anti-Corruption Department to conduct a preliminary enquiry on the averments made in the complaint. According



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to him, the preliminary enquiry was registered on 27.08.2024 and they have conducted enquiry, examined 105 witnesses and found that the allegation No.1 has been substantiated, however, the other allegations have not been substantiated. Therefore, they have recommended for departmental disciplinary action against the petitioner on the allegation No.1. They have also recommended for dropping of further action against the petitioner on the allegation Nos.2, 3, 4, 5 and 6 in the complaint.

5.Learned Government Advocate (Civil Side) appearing for the respondents 1 to 3 submitted that it is true the enquiry was ordered based on an anonymous complaint, however, the complaint refers to the officials, who have aided and paid monthly amount to the petitioner. Since there were some *prima facie* materials in the complaint, the Secretary, in order to ascertain the facts mentioned in the complaint, has requested for conducting a preliminary enquiry. The preliminary enquiry conducted by the Vigilance Department reveals that the allegation No.1 in that complaint is substantiated and therefore, the



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Director of Vigilance and Anti-Corruption, by their report, had made

WEB COM recommendations for initiating departmental proceedings as against the petitioner and five other witnesses, who have involved in the collection and transfer of money to the petitioner. Therefore, the Department is also proceeding further by issuing a charge memo to the petitioner and his subordinate officers, who have collected money and transferred it to the petitioner. If any order is passed in this writ petition, it would affect the course of action proposed as against the petitioner and therefore, he prayed for dismissing this writ petition.

6.This Court considered the rival submissions made and perused the materials placed on record.

7.The Vigilance and Anti-Corruption Department has issued the impugned notice to the petitioner on 08.01.2025 calling upon him to produce the log book of the Ambassador car allotted to the Joint Commissioner of Labour Department, wherein, the Inspector of Police, Vigilance and Anti-Corruption Department, has mentioned about the

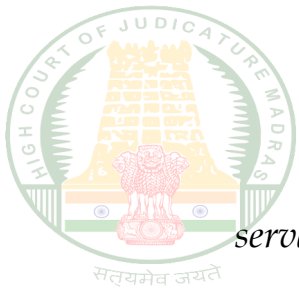


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preliminary enquiry registered on 29.08.2024. By this notice, the petitioner came to know about the enquiry which has been conducted against him and asked for a copy of the complaint. The grievance of the petitioner is that a copy of the complaint has not been furnished to him. However, the learned Counsel for State of Tamil Nadu (Crl. Side) claimed that the complaint has been shown to the petitioner.

8. Admittedly, the preliminary enquiry has commenced, based on an anonymous complaint. The Government, vide G.O.Ms.No.173, Personnel and Administrative Reforms (N) Department, dated 19.12.2018, has laid down certain procedures to be followed on complaints or petitions received by the Department. Para 3 of the Government Order is relevant and the same is extracted as under:

“3. In compliance with Section 17A(1) of the Prevention of Corruption Act, 1988, the Government have carefully examined the issue by revisiting the existing procedures for conducting Preliminary Inquiry / Detailed Inquiry / Registering of Regular Case, etc. and accordingly prescribe the following guidelines to be adopted for processing the complaints of alleged corruption against public



servants:

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(i) *On receipt of complaint / allegation / source report relating to offences alleged to have been committed under the Prevention of Corruption Act, 1988, the Directorate of Vigilance and Anti-Corruption shall initially take up a factual verification in the first instance and shall weed out baseless, vague, frivolous, vexatious complaints.*

(ii) *No action is required to be taken on anonymous complaints, irrespective of the nature of allegations and such complaints need to be filed.*

(iii) *If a complaint contains verifiable allegations, it shall be verified with the complaint for owning / disowning, as the case may be, and if no response is received from the complainant within a reasonable time, the said complaint may be filed as pseudonymous.*

(iv) *Repeated complaints regarding the same allegations and previously disposed, may be filed."*

9.Clause (ii) of para 3 in the aforesaid government order provides that no action shall be taken on an anonymous complaint. This instruction has been provided with the aim of protecting the government servants from frivolous complaints and harassment. However, it is



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relevant to note that the DVAC is obligated to collect intelligence to expose and detect the bribery and corruption among government servants. In fact, Para 129 of the Vigilance Manual provides that one of the important responsibilities of the Directorate of Vigilance and Anti-Corruption is the collection of intelligence about malpractices and corrupt activities in different departments. It also provides that collection of intelligence is a part of the normal duties and responsibilities of the Vigilance Department and that the Vigilance Department should set up good and reliable sources of vigilance intelligence. Further, DVAC Standing Order No.30/76 dated 28.12.1976 provides that anonymous or pseudonymous petitions must be carefully examined to ascertain whether the allegations convey any specific information which can be verified. Therefore, there is no prohibition for the Vigilance Department from verifying the allegations which are raised against government servants. It is also to be noted that the guidelines in the Government Order are not mandatory and they are only recommendatory nature. The preliminary enquiry is a process of *prima facie* verification before registering a regular case. Such a verification can be conducted

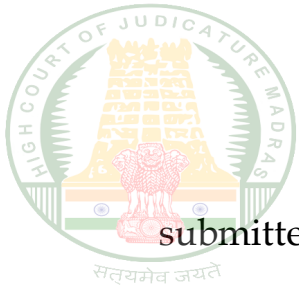


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without harassing or disturbing the work of the government servant
concerned.

10.The file along with the anonymous complaint, based on which an enquiry has been contemplated, has been placed before this Court. The complaint was made in the name of a subordinate officer in the Labour Department, however, with specific allegations of demand of money and transfer of money by certain officers to the petitioner. Therefore, the first respondent is right in forwarding the complaint to the Vigilance and Anti-Corruption Department to ascertain the genuineness of the complaint. As a Head of the Department, he is in-charge of the Department and he is responsible for the reputation of the Department. Therefore, the recommendation made by the Government dated 04.06.2024 cannot be found fault with.

11.Based on this Government Letter, the Vigilance and Anti-Corruption Department has registered a preliminary enquiry on 29.08.2024. They have also concluded the preliminary enquiry and



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submitted their report on 28.10.2025 to the Vigilance Commissioner and

the Commissioner of Administrative Reforms that the allegation No.1 found in the complaint has been substantiated. Therefore, the Department has recommended for departmental action.

12.The allegation No.1, in the complaint is that the petitioner has accepted pecuniary gain from his subordinate officers on various dates ranging from Rs.5,000/- to Rs.33,600/- between 01.06.2023 and 31.07.2024. The Vigilance Department has found certain suspicious transaction by the subordinate officers of the petitioner to the petitioner's account and some justifications have been provided by the subordinate officers for these transactions. The same was also verified by the Vigilance Department and a report has been filed on 28.10.2025 that this particular allegation was substantiated.

13.The Vigilance Commissioner and Commissioner of Administrative Reforms have also verified the complaint and forwarded the report to the Labour Welfare and Skill Development Department

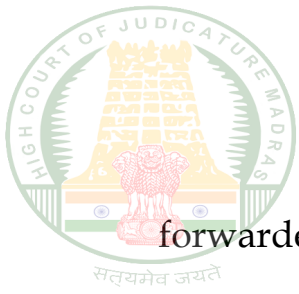


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with a recommendation to take departmental action by letter dated 17.02.2026. It is reported that a draft charge memo has been prepared as against the petitioner and they are yet to serve this charge memo. In these circumstances, the petitioner has filed this writ petition on 21.04.2026 seeking quashment of enquiry notice dated 08.01.2025 issued by the Vigilance and Anti-Corruption Department to the petitioner.

14. Though the impugned notice was issued on 08.01.2025, it has been challenged only on 21.04.2026. Therefore, the contention of the Government Counsel that this writ petition is filed in order to scuttle the disciplinary proceedings cannot be brushed aside. The preliminary enquiry has already been completed and report has been filed. The Vigilance Commissioner has also taken cognizance of the same and ordered for a departmental action and Department is also proceeding towards the same. Therefore, nothing survives in this writ petition.

15. This Court, in more than one occasion, had witnessed that the complaints of corruption against government officials are being



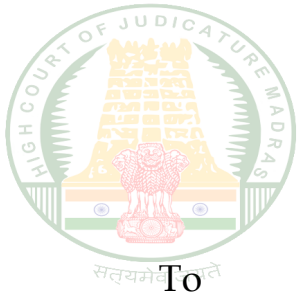
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forwarded from one end to the another and are kept pending for years together, without there being any action, ultimately allowing the government official to let go. In the case on hand, the Secretary to Government, Labour Welfare and Skill Development Department, has fairly forwarded the complaint containing *prima facie* allegations to the Vigilance Department, which has also performed its duty. While placing its appreciation to the respondents 1, 4 & 5, this Court hopes that the departmental proceedings would reach its logical end, in accordance with law.

In the result, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed.

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