

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.10176 of 2016

T.Govindaraj

... Petitioner

Vs

1.The Deputy Superintendent of
Police,
Vigilance and Anti Corruption,
Tiruppur, Tiruppur District,
Pincode: 641 603.

2.The Inspector of Police,
Vigilance and Anti Corruption,
Tiruppur, Tiruppur District,
Pincode: 641 603.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction, directing the second respondent herein to register a case on the basis of the petitioner's complaint dated 22.4.2016 and proceed with investigation in accordance with law.

For Petitioner : Mr.P.Kannan Kumar
For Respondents : Mr.P.Govindarajan,
Addl.Public Prosecutor.

ORDER

The present criminal original petition has been filed seeking a direction to the second respondent herein to register a case on the basis of the petitioner's complaint dated 22.4.2016 and proceed with investigation in accordance with law.

2. It is the case of the petitioner that one Sivagami, who is the Assistant Engineer (Operation and Maintenance), Palayamkottai Sub Division, without following the rules, shifted the service connection to one Arumugam in Service No.030780061312. While shifting the service connection from one place to another place, necessary charges have to be collected. But, without collecting the same, the said Sivagami has effected service connection to the new place by utilizing the TANGEDCO materials. It is the further case of the petitioner that due to

the said act, loss of more than Rs.5,00,000/- was caused to the TANGEDCO and the said Sivagami has been personally benefited out of this shifting service. Therefore, the petitioner made a complaint to the respondents on 22.4.2016 through post. The respondents are the competent officials to initiate criminal prosecution against the erred Government servants. Though the said complaint was made as early as on 22.4.2016, till date, no action was taken on the said complaint. Hence, left with no other alternative, the petitioner has come up with the present petition seeking a direction to the second respondent to register a case on the basis of his complaint dated 22.4.2016 and proceed with the investigation in accordance with law.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the second respondent to conduct enquiry on the complaint made by the petitioner dated 22.4.2016 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, then he is directed to register a case as per the dictum laid down in the case of Lalitha Kumari v. State of U.P. reported in 2014 (2) SCC 1 and proceed further in accordance with law, as early as possible. The Criminal Original Petition is ordered accordingly.

sbi

-s/d-

Assistant Registrar(IV)

True Copy

Sub-Assistant Registrar

To

1.The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Tiruppur, Tiruppur District,
Pincode: 641 603.

2.The Inspector of Police,
Vigilance and Anti Corruption,
Tiruppur, Tiruppur District,
Pincode: 641 603.

+ 1 cc to Mr.P.Kannan Kumar, Advocate SR 29652

+ 1 cc to Public Prosecutor, High Court, Madras SR 29376

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