

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.17990 of 2016

Ramu

... Petitioner

Vs

1.The Director,
Vigilance and Anti Corruption
Department,
Chennai-28.

2.The Deputy Superintendent of Police,
Vigilance and Anti Corruption
Wing,
Cuddalore, Cuddalore District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent to register the complaint of the petitioner dated 20.6.2016 and investigate the same in accordance with law.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.Mohamed Riyaz,
Govt. Advocate (Cr1. Side)

ORDER

The present criminal original petition has been filed seeking a direction to the second respondent to register the complaint of the petitioner dated 20.6.2016 and investigate the same in accordance with law.

2. It is the case of the petitioner that he is residing at Kozhiyur Village, Thittagudi Taluk, Cuddalore District. As per G.O.(Ms) No.122, Housing and Urban Development (SC2(1)) Department, dated 1.10.2015, which has been issued for the Economically weaker section families in the Town Panchayat to convert their huts / mud houses to green houses with a concrete roof and solar power, the Thittagudi Town Panchayat allotted 75 Green houses to its Wards from 1 to 18 under the scheme of

Pasumai Veedu Thittam. As per the said scheme, the beneficiary should belong to economically weaker section and should be below the poverty line list. However, one Balasubramaniam, Thittagudi Town Panchayat Executive Officer, Neethimannan, the Town Panchayat President and one Kannan, Assistant Engineer cum Field Officer of the said Panchayat hatched a conspiracy and selected ineligible beneficiaries by a resolution and framed incorrect records in their favour by misusing their official position and demanded and obtained a sum of Rs.30,000/- from each of them as bribe and allotted green houses to them. The Village Administration Officer of the Thittagudi and Revenue Inspector concerned have also colluded with the said three persons and issued focus eligibility certificates by obtaining bribe amount from the said three persons and thus, cheated the eligible persons. Hence, the petitioner submitted a representation cum complaint to the respondents on 20.6.2016. Based on his complaint, the second respondent conducted a spot inspection on 19.7.2016 and advised the Inspector of Police, Cuddalore to investigate the same. But, so far, no action was taken on his complaint. Hence, the petitioner has come up with the present petition seeking a direction to the second respondent to register the complaint of the petitioner dated 20.6.2016 and investigate the same in accordance with law.

3. Today, when the matter was taken up for consideration, learned Government Advocate, Criminal Side submitted that on receipt of the complaint dated 20.6.2016 from the petitioner, a preliminary enquiry was registered in No.PE 130/2016/RDP/HQ dated 14.7.2016 and so far, the respondents have examined 27 witnesses and collected 38 documents. Further, he has submitted that during the course of enquiry, if cognizable offences are made out, the respondents would register a case and would proceed further in accordance with law. Further, the learned Government Advocate, Criminal Side submitted that the respondents are having 90 days time from the date of registration of complaint, to complete the investigation and the preliminary enquiry has been registered only on 14.7.2016.

4. Recording the said submission made by the learned Government Advocate, Criminal Side, the criminal original petition is closed.

sbi

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Director,
Vigilance and Anti Corruption
Department,
Chennai-28.

2.The Deputy Superintendent of Police,
Vigilance and Anti Corruption
Wing,
Cuddalore, Cuddalore District.

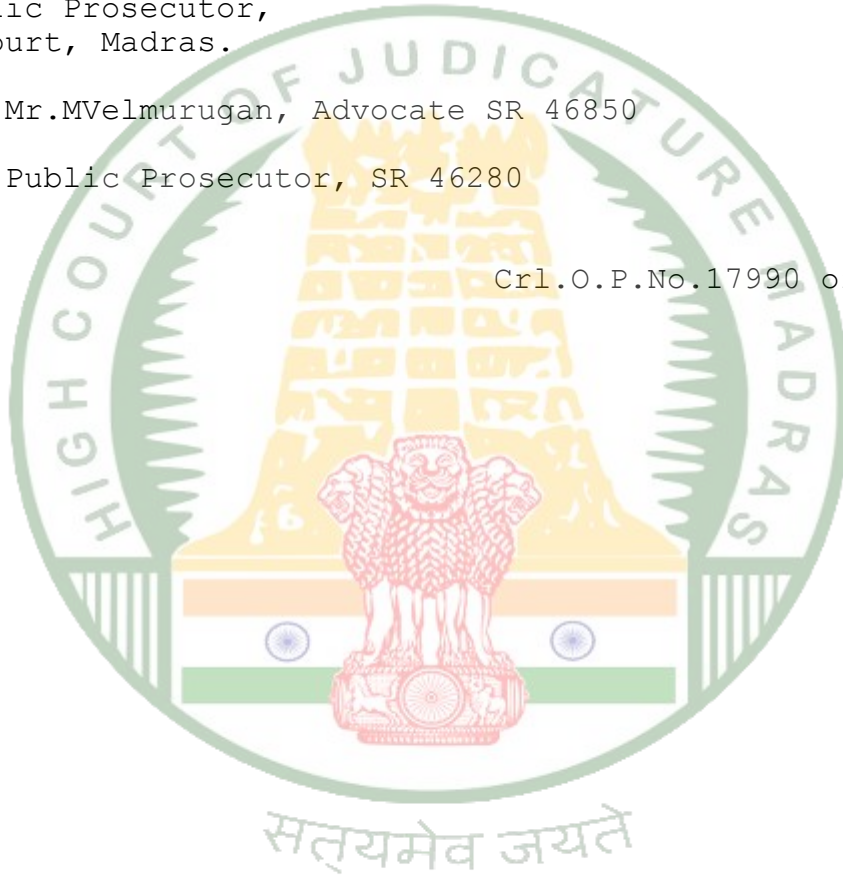
3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.MVelmurugan, Advocate SR 46850

+ 1 cc to Public Prosecutor, SR 46280

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Crl.O.P.No.17990 of 2016



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