

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2016

CORAM:

THE HON'BLE DR.JUSTICE P.DEVADASS

Crl.O.P. No.3680 of 2016

K.S.Vivekanandam

.. Petitioner

vs.

State rep.by

1. The Director
Vigilance and Anti-Corruption
NCB 21, P.S.Kumarasamy Raja Salai
Chennai 600 028.
2. The Inspector General of Police
Special Investigation Cell 1 and 2
Vigilance and Anti-Corruption
NCB 25-A, P.S.Kumarasamy Raja Salai
Chennai 600 028.
3. The Superintendent of Police
Western Range
Vigilance and Anti-Corruption
NCB 24, P.S.Kumarasamy Raja Salai
Chennai 600 028.
4. The Deputy Superintendent of Police
Vigilance and Anti-Corruption
No.1/7-1, Thiruchengodu Road
Near Post Office, Nallipalayam Post
Namakkal Distirct 637 003.

.. Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the fourth respondent to conduct investigation and register the petitioner's complaint dated 18.12.2015 in Crime No.Not known of 2015 on the file of the fourth respondent and to file the final report before the competent court.

For Petitioner : Mr.M.K.Bhoopathy Rajan

For Respondent : Mr.P.Govindarajan
Special Public Prosecutor
for CBI cases

O R D E R

Thiru.K.S.Vivekanandam, a public spirited person seeks direction under Section 482 Cr.P.C to the 4th respondent to register a criminal case as against certain public servants viz., VAO and Panchayat President of Vallipuram Village in Namakkal District.

2. The learned counsel for the petitioner submitted that there are materials to show that they have committed certain cognizable offence.

3. The learned Additional Public Prosecutor submitted that preliminary enquiry has been conducted. He has also filed the enquiry report.

4. I have perused the said report of the Inspector of Police, Vigilance and Anti-Corruption, Namakkal District.

5. Para No.9 of the report runs as under:

"9. I further submit that, the enquiry revealed that the members of Mariamman Kovil Thirupanikuzhu of Vallipuram Village had received Rs.5 lakhs from Thiru.Elavanan and his father Thiru.Subramaniam as donations for not to interfere in the possession of above poramboke land and used the above money for construction of Mariamman Temple. Hence, no action is recommended against the public of Vallipuram Village.

I further submit, since, the Preliminary Enquiry revealed that Thiru.V.Ramalingam, President of Vallipuram Panchayat and Thiru.N.Perumal, formerly Panchayat Secretary of Vallipuram Panchayat have abused their official position and given approval for 'land and building approval' in the name of Thiru.Elavanan for which they are not competent. There is prima facie case of offences punishable under Sections 13(2) r/w 13 (1)(d) of the PC Act, 1988. Hence, I submit this status report before this Hon'ble Court and pray to pass appropriate orders and render justice."

6. The learned Additional Public Prosecutor submitted that in furtherance of the said report further necessary action is under way.

7. Recording the above submission, this Criminal Original Petition is disposed of.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

vj2

To

1. The Director
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NCB 21, P.S.Kumarasamy Raja Salai
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 2. The Inspector General of Police
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No.1/7-1, Thiruchengodu Road
Near Post Office, Nallipalayam Post
Namakkal Distirct 637 003.
 5. The Additional Public Prosecutor
High Court, Madras.
- 1 CC TO Mr.M.K. Boopathy Rajan, Advocate, Sr. 15944
1 cc to Public Prosecutor, SR. 15867

Cr1.O.P. No.3680 of 2016

RSY (CO)
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