

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2017

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.28572 of 2017

Sa.Ma.Kumaresh

... Petitioner/Defacto Complainant

Vs.

1. The Director of Vigilance and
Anti Corruption
No.293, MKN Road, Alandur,
Chennai - 16.

2. The State rep.by
The Inspector of Police,
The Director of Vigilance and
Anti Corruption,
Kancheepuram.

... Respondents/Complainants

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondent police to register a case based on the above said complaint dated 17.10.2016.

For Petitioner : Mr.B.Manoharan

For Respondent : Mr.P.Govindarajan
Additional Public Prosecutor

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O R D E R

Heard Mr.Manoharan, learned counsel appearing for the petitioner as well as Mr.P.Govindarajan, learned Additional Public Prosecutor appearing for the respondent.

2. The learned Additional Public Prosecutor submitted that the subject matter has been seized of by the Collector, pursuant to the direction passed by this Court in W.P.No.3422/2016 dated 01.02.2016. Meanwhile, the Inspector, Vigilance and Anti Corruption, who has taken up preliminary

enquiry, based on the complaint given by the petitioner has also submitted preliminary enquiry report to the Director, Vigilance and Anti Corruption.

3. It is submitted by the learned Additional Public Prosecutor that in view of the orders to be passed by the Collector, pursuant to the direction in the writ petition, arising out of the same set of allegation, further course of action is awaited.

4. A perusal of the record indicates that the investigating officer has submitted his preliminary report indicating that there is violation in regard to the building plan permit by the BDO, Katankolatur, who had no territorial jurisdiction over the area. However, since the matter is not pending before the Collector, who is the Inspector of panchyat as well as the disciplinary authority of the person who is alleged to have violated the rule, it is appropriate to wait for his report. Further, the Director of Vigilance and Anti Corruption is directed to follow up the matter and get the report from the District Collector at the earliest and proceed with the matter in accordance with law.

5. With these observations, the criminal original petition stands disposed of.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

AT

To

1. The Director of Vigilance and
Anti Corruption
No.293, MKN Road, Alandur,
Chennai - 16.

2. The Inspector of Police,
The Director of Vigilance and
Anti Corruption,
Kancheepuram.

3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.28572 of 2017

KJI (CO)
TR(12/01/2018)