

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2018

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.8272 of 2018

P.Venkatachalapathy

... Petitioner/Defacto -
Complainant

Vs.

The Joint Director,
Anti-Corruption Branch,
Banking Cell, CBI,
Shastri Bhavan,
Haddows Road,
Chennai-600 006.

... Respondent

Prayer: Criminal original petition filed under Section 482 of Criminal Procedure Code, praying for direction to direct the respondent to register a case and investigate the complaint dated 01.03.2018 given by this petitioner.

For Petitioner : Mr.N.R.Elango, Senior counsel
for M/S.Arun Elango

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor for CBI cases

ORDER

This petition is filed under Section 482 of Cr.P.C seeking order of this Court to direct the CBI to register the case on the basis of the complaint given by the petitioner on 01.03.2018, to investigate the same.

2 Heard the learned counsel for the petitioner and the learned Special Public Prosecutor.

3 It is contended by the learned Senior counsel appearing for the petitioner that in the land conveyed by the Housing Board for specific purpose namely educational purpose, has been abused and misused by the Board of Trustees by putting up a commercial construction and letting out for rent. It is also submitted by the learned counsel that the lessee is none other than the Chairman of the Trust. In this connection, it is further submitted by the learned counsel for the petitioner that Indian Overseas Bank has extended loan for putting up the

construction which is per se illegal and impermissible and CBI has to investigate the matter.

4 According to the learned Special Public Prosecutor the complaint of the petitioner dated 01.03.2018 had been received by the CBI very recently and furthermore the complainant has also forwarded the same complaint to the vigilance office of the Indian Overseas Bank. It is learnt that the vigilance of IOB has taken up the enquiry on the complaint sent by the petitioner. If the vigilance cell after internal enquiry finds that there is any misconduct on the part of the bank officials and request the CBI to take up the investigation then CBI has no hesitation to do so.

5 Recording the same, this Criminal Original Petition is disposed of. The petitioner is at liberty to approach this Court, if there is no progress in the enquiry and not satisfied with the enquiry.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

- 1 The Joint Director,
Anti-Corruption Branch,
Banking Cell, CBI,
Shastri Bhavan,
Haddows Road,
Chennai-600 006.
- 2 The Special Public Prosecutor for CBI cases,
High Court, Madras.

KJ(CO)
RRI 09/04/2018

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