

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.09.2018

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.20396 of 2018

Dr.Narayana Veerappan

... Petitioner

/Vs/

1. The Director,
Vigilance and Anti Corruption,
No.239, M.K.N. Road,
Alandur, Chennai-600 016.

2. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Kancheepuram.

3. The Inspector of Police,
Vigilance and Anti Corruption,
Kancheepuram.

... Respondents

PRAYER: Criminal Original Petition filed under section 482 of Cr.P.C., seeking to direct the transfer of the investigation from the file of the third respondent to any other competent police officer in respect of preliminary enquiry vide No.PE 307/2017/EDN/KM, to expedite the enquiry therein within the stipulated time.

For Petitioner : Mr.C.S.Dhanasekaran

For Respondents : Mr.K.Prabhakar
Additional Public Prosecutor

* * * * *

WEB COPY

ORDER

This petition has been filed to transfer the investigation in respect of preliminary enquiry vide No.PE 307/2017/EDN/KM from the file of the third respondent to any other competent police officer and expedite the enquiry therein within the stipulated time.

2. The petitioner who is the retired Associate Professor of Sir Theyagaraya College, Chennai, former Academic Council Standing Committee, Senate Member of University of Madras had given a complaint against one Thiru.S.Natarajan, Head of the Department of Botany, Gurunanak College at Velacherry

regarding allegations of possessing disproportionate assets and the complaint dated 30.08.2017 had been acknowledged by the first respondent on 05.09.2017. The first respondent thereafter, has forwarded the complaint to the second respondent for enquiry and in turn, the second respondent has nominated the third respondent to conduct the enquiry. The petitioner had stated that since he has neither been summoned nor enquired by the third respondent, he had filed the petition before this Court in CrI.O.P.No.22453 of 2017 seeking for a suitable direction to the third respondent to register the case on his complaint dated 30.08.2017. Since it was submitted by the learned Additional Public Prosecutor that preliminary enquiry dated 26.09.2017 has been initiated, the petition was closed and thereafter, no action has been taken by the third respondent. Hence, the petitioner has come out with the present petition seeking transfer.

3. The learned counsel Mr.C.S.Dhanasekaran appearing for the petitioner would submit that the respondents are wilfully acting in a sluggish manner to protect the accused and due to the lackadaisical attitude there is a possibility of the accused meddling with the evidence.

4. The learned Additional Public Prosecutor would submit that the investigation involves assessment of properties and based on the complaint preliminary enquiry had been conducted and based on the report of the preliminary enquiry the matter has been referred for detailed enquiry and he would submit that the third respondent will be able to complete the detailed enquiry within a period of three months.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court directs the third respondent to complete the detailed enquiry within a period of three months from the date of receipt of a copy of this order and thereafter proceed in accordance with law.

6. With the above observations, the Criminal Original Petition is disposed of.

si/kv

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Director,
Vigilance and Anti Corruption,
No.239, M.K.N. Road,
Alandur, Chennai-600 016.

2. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Kancheepuram.

3. The Inspector of Police,
Vigilance and Anti Corruption,
Kancheepuram.

4. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.C.S.Dhanasekaran, Advocate S.R.No.67192

KR/24/10/18

CrI.O.P.No.20396 of 2018



WEB COPY