

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.03.2018

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.6574 of 2018

T.Baskar

... Petitioner

Vs.

1 The Directorate of Vigilance and Anti Corruption,
No.293, MKN Road, Alandur,
St.Thomas Mount, Chennai-16.

2 Rajagopalan,
Executive Engineer, P.W.D.,
North Presidency division,
Chepauk, Chennai-5.

3 G.Kuppusamy

4 The Head of Draught Officer,
North Presidency division,
Chepauk, Chennai-5.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the first respondent to register complaint dated 09.10.2017 against the accused.

For Petitioner : Mr. V.Nandagopalan

For Respondents : Mr.K.Prabakar

Addl. Public Prosecutor

ORDER

This petition is filed to register the complaint dated 09.10.2017 preferred to the Directorate of Vigilance and Anti Corruption alleging corrupt practice of one Rajagopalan, Executive Engineer, P.W.D., G.Kuppusamy, Contractor, P.W.D., and the Head of Draught Officer, North Presidency Division, Chepauk, Chennai-5.

2 The learned Additional Public Prosecutor produced the communication of Director of Vigilance and Anti Corruption addressed to Chief Engineer, P.W.D. wherein he has stated that on a perusal of the petition sent by the petitioner herein, he has found that the allegations mentioned in the petition are general in nature and does not disclose any specific information and cognizable offence. Since, the work done by the contractor is of poor quality and substandard materials

were used, the petitioner has informed the same to DVAC who in turn, has forwarded the petition in original to the Chief Engineer(General), PWD, HOD to take necessary action at his end as per the instructions issued in Government Memo.No.1356/64/02, Public (service B) dated 08.04.1964 and incorporated in paragraph 10(3) of the Manual of the DVAC. It is also informed in the said communication that the Directorate has not caused any enquiry into the contents of the above petition.

3 In view of the above action taken by the Director of DVAC, this Court finds that there is no purpose to direct the respondent to register the complaint, since, the respondent has also perused the complaint and arrived at a conclusion that there is no cognizable offence made out. It is also seen from the communication that the Director, DVAC has informed the HOD to take necessary action. It is therefore open to the petitioner to furnish any information available with him other than what he has stated in the petition for HOD to take necessary action.

4 With this observation, this Criminal Original petition stands disposed of.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

rpl
To

1 The Directorate of Vigilance and Anti Corruption,
No.293, MKN Road, Alandur,
St.Thomas Mount, Chennai-16.

2. The Head of Draught Officer,
North Presidency division,
Chepauk, Chennai-5.

3 The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.V. Nandagopalan, Advocate Sr.16455

CrI.O.P.No.6574 of 2018

SAI (CO)
EU(26/03/2018)