

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2018

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No. 24942 of 2018

B.Deva

.. Petitioner

Vs.

State represented by

The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Wing
No.40, Asar Nagar, 2nd Street,
Behind SAP Theatre,
Avinashi Road,
Tiruppur-641 603

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to direct the respondent to register the complaint dated 26.09.2018.

For Petitioner : Mr.N.Ponraj

For Respondent : Mr.R.Ravichandran
Government Advocate (Crl. Side)

J U D G M E N T

The petitioner has filed this Criminal Original Petition under Section 482 Cr.P.C., to direct the respondent to register the complaint dated 26.09.2018.

2.The case of the petitioner is that the petitioner is the resident of Goundachipudur Panchayat in Dharapuram Taluk, Tiruppur District. Due to development of Dharapuram Town and real estate boom the land value of his village panchayat skyrocketed. One Udhayakumar was holding the post of Village Panchayat President from 25.10.2011 to 20.10.2016 had committed many mischiefs and scams by abusing his power and thereby he obtained unlawful gain resulting in loss to the Panchayat. The said Udhayakumar in the capacity of the Village Panchayat President was converting agricultural lands into house plots by getting lawful gains to the tune of 54,04,290/- by giving approval to the buildings in 'CIBI GARDEN' and also caused huge loss to the Panchayat to the tune of Rs.5 crores. He has also done many illegalities, misappropriation and obtained unlawful gains in many transactions such as tender, tax imposition etc.,

Hence, the petitioner has given a representation before the D.V.A.C.

3.The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the Director of D.V.A.C, Chennai, had issued a letter in Petn.No.9955/2018/MISC/TPR dated 12.11.2018 to the Collector, Tiruppur District, stating that the petition warrants a Preliminary Enquiry(PE), to accord, to register a PE, as per Section 17(A)(1) of Prevention of Corruption (Amendment) Act, 2018. As per Section 17(A)(1) of Prevention of Corruption (Amendment) Act, 2018, the concerned authority to convey its decision within a period of three months. Accordingly, seeks further period of three months to convey the decision of the concerned authority to the petitioner.

4.In view of the above stand taken by the D.V.A.C. Dated 12.11.2018. this petition stands disposed of. However, liberty is granted to the petitioner to work out the remedy in the manner known to law after the respondent takes decision, if so advised.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Wing
No.40, Asar Nagar, 2nd Street,
Behind SAP Theatre,
Avinashi Road,
Tiruppur-641 603

- 2.The Special Public Prosecutor(V & AC)
Madras High Court, Chennai.

Crl.O.P.No.24942 of 2018

CSL/27.11.2018