

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2018

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.27938 of 2018

Rajiv Naidu

.. Petitioner

Vs.

The Director,  
Directorate of Vigilance and Anti Corruption,  
No.293, MKN Road, Collectors Nagar,  
Alandur, Chennai-600 016.

.. Respondent

PRAYER:Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to issue a direction to the respondent herein to register the complaint filed by the petitioner dated 13.11.2018.

For Petitioner : Mr.Nithyaesh Nataraj for  
M/s.Nithyaesh and Vaibhav

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

O R D E R

This petition has been filed under Section 482 of Cr.P.C., to issue a direction to the respondent herein to register the complaint filed by the petitioner dated 13.11.2018.

2.The case of the petitioner is that the M/s.Landmark Housing Projects Pvt. Ltd., had filed a typed set of documents dated 06.03.2018 in O.P.No.1052 of 2017, including the statement made by the M/s.Landmark to the Income Tax Department, Annexure A, which contains the expenses statement given by the M/s.Landmark and the same is absolutely shocking and affects the moral conscience of all the tax paying citizens.

3.The learned counsel for the petitioner would submit that it is the duty of Mr.Udhayakumar of M/s.Landmark Housing Projects Pvt. Ltd., to explain why such huge cash transactions have been made to the politicians and Government Officials and it is pertinent to mention that huge payments have been made to one Manish and Sunil for "Road work interest" apart from the other amounts. The nature of these payments and the reason for these payments are the issues which needs to be gone into

through a thorough investigation. Since all these documents were filed by M/s.Landmark themselves in O.P.No.1052 of 2017, it is necessary for the petitioner to set the Criminal Law in motion and hence the present petition.

4.The learned Government Advocate (Crl. Side) would submit that D.V.A.C. decided to conduct the preliminary enquiry and the enquiry will be completed within a period of four months. The learned Government Advocate also produced a letter dated 10.12.2018 before this Court sent by the Director of D.V.A.C., Chennai-16.

5.He would further submit that for conducting preliminary enquiry sanction must be required from the Chief Secretary to Government, Secretariat, Chennai-9. Hence, he seeks a period of four months to complete the preliminary enquiry.

6.The undertaking given by the learned Government Advocate is recorded.

7.Accordingly, this Petition stands disposed with direction to the respondent to complete the preliminary enquiry within a period of four months. Liberty is to granted to the petitioner to work out the remedy in the manner known to law, if so advised, once the preliminary enquiry is conducted.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kas

To

1. The Director,  
Directorate of Vigilance and Anti Corruption,  
No.293, MKN Road, Collectors Nagar,  
Alandur, Chennai-600 016.

2. The Public Prosecutor,  
High Court of Madras,  
Chennai.

CrI.O.P.No.27938 of 2018

mp(co)  
nr 07/01/2019