

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 08.01.2018****CORAM:****THE HONOURABLE MR. JUSTICE P.N. PRAKASH****Cr1.O.P. (MD) No.13115 of 2017**

Postal Pensioners Association  
Sattur  
rep.by its Secretary  
D.Chellappa  
S/o.N.Denial  
No.4/251E, Bharathiyar Nagar  
NGO Colony, Sattur-626 203

... Petitioner

vs.

1. The Director  
Central Bureau of Investigation (CBI)  
Head Office, Plot No.5-B, CGO Complex  
Lodhi Road, New Delhi-110 003

2. The Joint Director  
Central Bureau of Investigation (CBI)  
3<sup>rd</sup> Floor, E.V.K.Sampath Building  
College Road, Chennai-600 006

... Respondents

**PRAYER:** Criminal original petition filed, under Section 482 Cr.P.C., to direct the respondents to direct the second respondent to register a case for an alleged offences punishable under Sections 420, 419, 465, 467, 468, 471 r/w 120(b) I.P.C., and provisions of Prevention of Corruption Act on the basis of the petitioner's complaint, dated 11.09.2017.

For Petitioner : Mr.R.Murugappan  
for Mr.M.Kalamurugappan

For Respondents : Mr.S.Jayakumar  
Special Public Prosecutor for C.B.I.Cases

**O R D E R**

The petitioner - Association has sent a complaint, dated 11.09.2017, to the respondents and filed the present criminal original petition seeking for a direction to the respondents to



register a case based on its complaint.

2. The learned Special Public Prosecutor for C.B.I.Cases submitted that the C.B.I., has not received the petitioner's complaint at all.

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3. Be that as it may, on a reading of the complaint, it is seen that the petitioner - Association has been fighting for re-fixation of pension for those who had retired from the Postal Department prior to 2006.

4. The learned counsel for the petitioner - Association fairly submitted that the petitioner - Association had already approached the Central Administrative Tribunal and succeeded before the Tribunal. The writ petition in W.P.No.19793 of 2015 filed by the Postal Department in the Principal Seat of this Court has also been dismissed on 02.03.2016. The contempt petition in Cont.P.No.1345 of 2016, filed by the petitioner - Association is said to have been closed on 28.02.2017, by the Principal Bench of this Court with liberty to the petitioner - Association to approach the Labour Court to workout its remedy. The allegation of the petitioner - Association is that the Senior Superintendent of Post Office, Virudhunagar Division has created false records as if the pension amount has been re-fixed and it has been disbursed to the pensioners. However, in the complaint dated 11.09.2017, the petitioner except making a vague allegation, there is no material to substantiate the accusation. In such view of the matter, the relief sought for by the petitioner - Association cannot be granted. However, it is open to the petitioner - Association to workout its remedy before the appropriate forum as directed by this Court in the earlier proceedings.

5. With the above observation, the criminal revision is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The Director,  
Central Bureau of Investigation (CBI),  
Head Office, Plot No.5-B, CGO Complex,  
Lodhi Road, New Delhi-110 003.



2. The Joint Director,  
Central Bureau of Investigation (CBI),  
3<sup>rd</sup> Floor, E.V.K.Sampath Building,  
College Road, Chennai-600 006.

3. The Special Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.M.Kalamurugappan, Advocate Sr.No.40947

Krk

AE/MR/SAR4/22.01.2018/3P/5C

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**08.01.2018**