



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2018

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE R.THARANI

Crl.O.P.(MD)No.5983 of 2018

Avudaiappan

... Petitioner

vs.

1. The Director of Vigilance and Anti Corruption (DVAC)
No.293, M.K.N.Road,
Alanthur,
Chennai-600 016.

2. The Deputy Superintendent of Police,
Vigilance and Anti Corruption Office,
Virudhunagar,
Virudhunagar District.

3. The Block Development Officer,
Vathirayiruppu Panchayat Union,
Vathirayiruppu,
Virudhunagar District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to issue a direction to the respondent 1 and 2 to register a case under the provisions of the Prevention of Corruption Act, 1988, on the basis of the petitioner's complaint, dated 06.03.2018.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.M.Chandrasekar

Additional Public Prosecutor

ORDER

Heard the learned counsel appearing for the petitioner and the Additional Public prosecutor appearing for the respondents.

2.This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code seeking a direction from this Court to the respondents 1 and 2 to register a case under the provisions of Prevention of Corruption Act, 1988, on the basis of the petitioner's complaint, dated 06.03.2018.

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3. On the side of the petitioner, it is stated that the petitioner has lodged a complaint dated 06.03.2018 against the third



respondent for corruptive practice in respect of tenders.

4. On the side of the respondent, it is stated that the petitioner has to approach only the ombudsman as per Act 27 of the Tamil Nadu Local Bodies Ombudsman Act, 2014 and he cannot directly approach this Court. It is stated that the complaint given by the petitioner was forwarded to ombudsman by the Vigilance and Anti Corruption Department. Only after enquiry by the ombudsman, a case may be registered on the basis of the report.

5. Records perused. The matter is relating to the local bodies tender proceedings. As per Act 27 of the Tamil Nadu Local Bodies Ombudsman Act, 2014, the Government has established an ombudsman for conducting enquiry on the allegations against the officers and employees working under the local bodies. The complaint given by the petitioner was forwarded to the ombudsman by the Vigilance and Anti Corruption Department. Hence, this petition is pre-matured and to be filed before the appropriate forum.

6. With the above observations, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Director of Vigilance and Anti Corruption (DVAC)
No.293, M.K.N.Road,
Alanthur, Chennai-600 016.
2. The Deputy Superintendent of Police,
Vigilance and Anti Corruption Office,
Virudhunagar, Virudhunagar District.
3. The Block Development Officer,
Vathirayiruppu Panchayat Union,
Vathirayiruppu, Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.R.MURUGAPPAN, ADVOCATE IN SR No. 61437

PNN

TE/KKR/SAR-3 : 04/05/2018 : 2P/6C

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