

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.01.2019

CORAM:
THE HON'BLE MR.JUSTICE M.DHANDAPANI
Crl.O.P.No.1494 of 2019

A.Saravanan

.. Petitioner

Vs.

1.State rep. by the Inspector of Police
Vigilance Cell, Ripon Buildings
Greater Chennai Corporation
Chennai 600 003

2.Inspector of Police
G2, Periamet Police Station
Chennai 600 003

3.Ms.Indhirani, Inspector of Police
Vigilance Cell, Ripon Buildings
Greater Chennai Corporation
Chennai 600 003

.. Respondents

Prayer:Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to issue a direction to the respondent police not to harass the petitioner in connection with the case registered in Crime Number not known to the petitioner on the file of the second respondent.

For Petitioner : Mr.G.Bala and Daisy

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

O R D E R

This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code by the petitioner herein to issue a direction to the respondent police not to harass the petitioner in connection with the case registered in Crime Number not known to the petitioner on the file of the second respondent.

2.The case of the prosecution is that the petitioner was granted promotion from the level of Stadium Officer to the Sports Officer. However, the promotion was stalled at the instigation of one Rajadurai Gandhi (petitioner in WMP No.14110 of 2018), by this Court in its order dated 06.07.2018 in W.M.P.Nos.17234 & 17235 of 2016 & 14110 of 2018 in M.P.Nos.2 to 6 of 2015.

3. Thereafter, the petitioner approached this Court by way of Writ Petition in W.P.No.19904 of 2018 to issue a writ of mandamus directing the respondent to pass orders on merits and in accordance with law on the petitioner's representation dated 24.01.2018 regarding regularisation of the services of the petitioner as Sports Officer (erstwhile called Stadium Officer) w.e.f. 29.09.2015 in accordance with the amended rules of Chennai Corporation General Service Rules, 1970 as done in the case of Mr.Selvaraj in proceedings Po.Thu.Na.Ka.No.E2/16102/2015 dated 12.05.2015 within a time frame. This Court by its order dated 02.08.2018 issued a direction to the Principal Secretary to Government, Municipal Administration & Welfare Department, Fort St. George, Chennai 600 009 to pass orders in accordance with law. Thereafter, this Court by its order dated 30.08.2018 issued a direction to dissolve the Vigilance Cell.

4. The learned counsel appearing for the petitioner would submit that after all the above proceedings, the respondents are calling the petitioner everyday under the guise of enquiry without revealing any allegation whatsoever and simply harassing the petitioner for the reasons best known to them. Hence, the petitioner was left with no other option except to approach this Court by filing a petition under Section 482 of Cr.P.C., with the above said prayer.

5. The learned Government Advocate (Crl. Side) would submit that the second respondent is the jurisdictional police officer who has neither received any complaint about the petitioner nor any enquiry is pending against the petitioner before them. The learned Government Advocate would further submit unless the petitioner show any prima facie allegation against the respondents, this Court cannot pass any blanket order directing the respondents not to harass the petitioner.

6. In view of the above submissions, unless the petitioner is able to show that there are some prima facie cases in favour of him, this Court cannot issue any blanket order to the respondents not to harass the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. Liberty is granted to the petitioner to work out the remedy in the manner known to law.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To.

1.The Inspector of Police
Vigilance Cell, Ripon Buildings
Greater Chennai Corporation
Chennai 600 003

2.Inspector of Police
G2, Periamet Police Station
Chennai 600 003

3.Ms.Indhirani,
Inspector of Police
Vigilance Cell, Ripon Buildings
Greater Chennai Corporation
Chennai 600 003

4.The Public Prosecutor
High Court of Madras

+lcc to Mr.G.Bala and Daisy, Advocate, S.R.No.4908

Crl.O.P.No.1494 of 2019

rrs 13/02/2019



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