

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.06.2019

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.10262 of 2019

V.Anbazhagan

... Petitioner

/Vs/

1. Chief Secretary
The Government of Tamil Nadu,
Fort St.George, Chennai-600 009.
2. Director of Vigilance and Anti-Corruption
No.293, M.K.N.Road, Alandur,
Chennai-600 016.
3. S.P.Velumani,
Minister of Municipal Administration Rural
Development and Panchayat Raj,
Fort St.George, Chennai-600 009.
4. Mrs.Chitra,
The Commissioner,
Poonamallee Municipality,
No.6, Trunk road, Poonamallee,
Chennai.

... Respondents

PRAYER: Criminal Original Petition filed under section 482 of Cr.P.C., to pass an order of Direction directing the 1st respondent to send the decision by virtue of petitioner's complaint dated 25.07.2018, to the 2nd respondent as per the Section 17(A) (1) of the Prevention of Corruption (Amendment) Act, 2018 within the stipulated time as fixed by this Court.

For Petitioner : Mr.S.Kumara Devan

For Respondents : Mr.A.Natarajan, PP Assisted by
Mr.K.Prabakar, APP

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O R D E R

This Criminal Original Petition has been filed seeking for a direction to the first respondent to send the decision by virtue of petitioner's complaint dated 25.07.2018, to the second respondent, as per Section 17(A) (1) of the Prevention of

Corruption (Amendment) Act, 2018 within the stipulated time, as may be fixed by this Court.

2. Mr.S.Kumara Devan, learned counsel for the petitioner would submit that on 25.07.2018, he had send a representation to the second respondent in respect of illegalities committed by the third and fourth respondents in collusion with a private contractor in respect of tender regarding collection of garbage from the Poonamallee Municipality, Thiruvallur District. Whereas, the second respondent had send a letter dated 28.08.2018 in Petn.No.8196/2018/LB/KM to the first respondent with a copy marked to the petitioner stating that the allegations in the petition are levelled against the 4th respondent and others and that the petition in original was sent to the 1st respondent for necessary action and further it had been stated that the second respondent had not caused any enquiry into the contents of the above petition. However, since no action was taken by the first respondent within a stipulated time as per Section as per Section 17(A)(1) of the Prevention of Corruption (Amendment) Act, 2018, the petitioner had approached this Court seeking appropriate relief.

3. Mr.A.Natarajan, learned Public Prosecutor appearing on behalf of the respondents would submit that the respondents have examined the complaint and finding that the allegations contained therein are false, fictitious and baseless, had not issued any direction for further course of action. He would further submit that the first respondent has also filed a counter affidavit stating that no action has been taken thereon, since the allegations are false, fictitious and baseless.

4. Recording the submissions of the learned Public Prosecutor and the counter affidavit, this Criminal Original Petition is dismissed, granting liberty to the petitioner to proceed in accordance with law.

Sd/-
सत्यमेव जयते Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

kv

To

1. The Chief Secretary,
The Government of Tamil Nadu,
Fort St.George, Chennai-600 009.

2. The Director of Vigilance and Anti-Corruption
No.293, M.K.N.Road, Alandur,
Chennai-600 016.

3. The Public Prosecutor,
High Court, Madras.

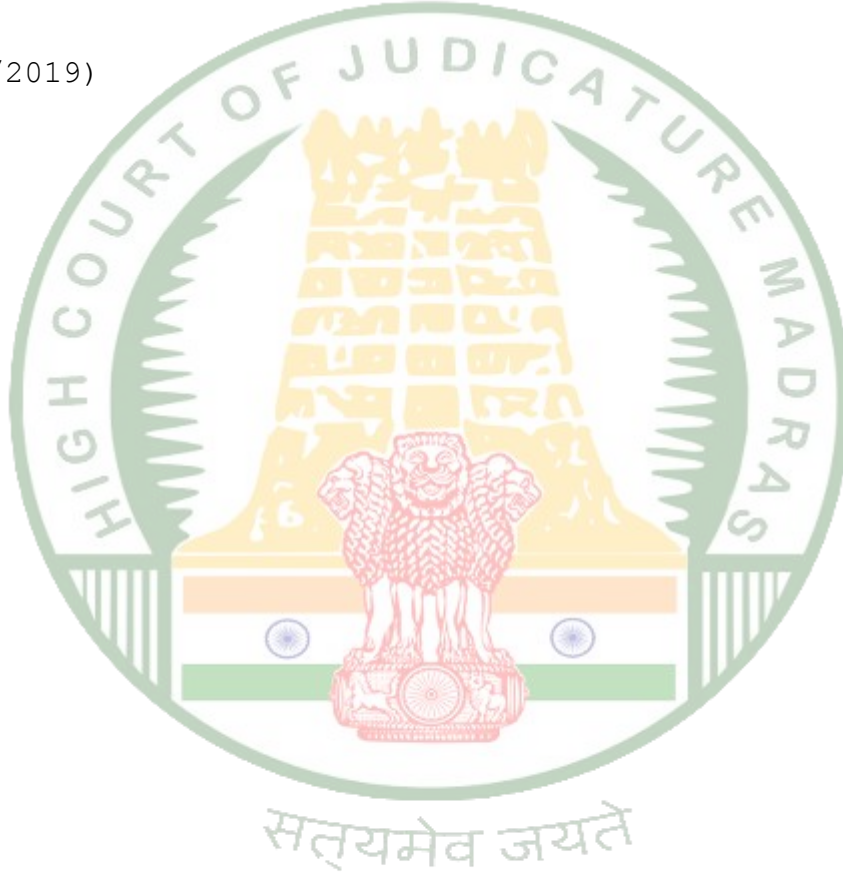
+1cc to Mr.S.Kumara Devan, Advocate, S.R.No.47348

+1cc to the Public Prosecutor, S.R.No.48737

Cr1.O.P.No.10262 of 2019

VBA (CO)

RRS (09/07/2019)



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