

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.10259 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. Prakash I.A.S.
Commissioner of Municipal Administration
Commissionerate of Municipal Administration,
Ezhilagam,
Chepauk, Chennai - 600 005.
- ...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 29.11.2018, 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 29.11.2018, 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 the Petitioner had preferred a complaint dated 29.11.2018 to the 2nd Respondent, with regard to the illegality committed by the third and fourth respondent who are respectively the Minister of Municipal Administration Rural Development and Panchayat Raj and the Commissioner of Municipal Administration in collusion with the private contractor namely PSK Engineering Construction and Co, Naducombai Post, Kalappanichenpatty, Namakkal and misappropriating public funds belonging to the Government by illegal means. He would further submit that since there was no action by the first and second respondents, he had made a further representation, dated 15.12.2018 and that thereafter, the 2nd Respondent had sent a copy of communication, dated 11.12.2018 in Petn.No.11962/2018/PUB/CC-HQ to the 1st Respondent, with a copy marked to the Petitioner, stating that the allegations are levelled against the 3rd Respondent who is a Minister and others, thereby, the petition in original was sent to the 1st Respondent for necessary action. Further it was stated that the second respondent has 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 the Section 17(A)(1) of the Prevention of Corruption (Amendment) Act, 2018, the petitioner had approached this Court seeking 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/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

kv

To

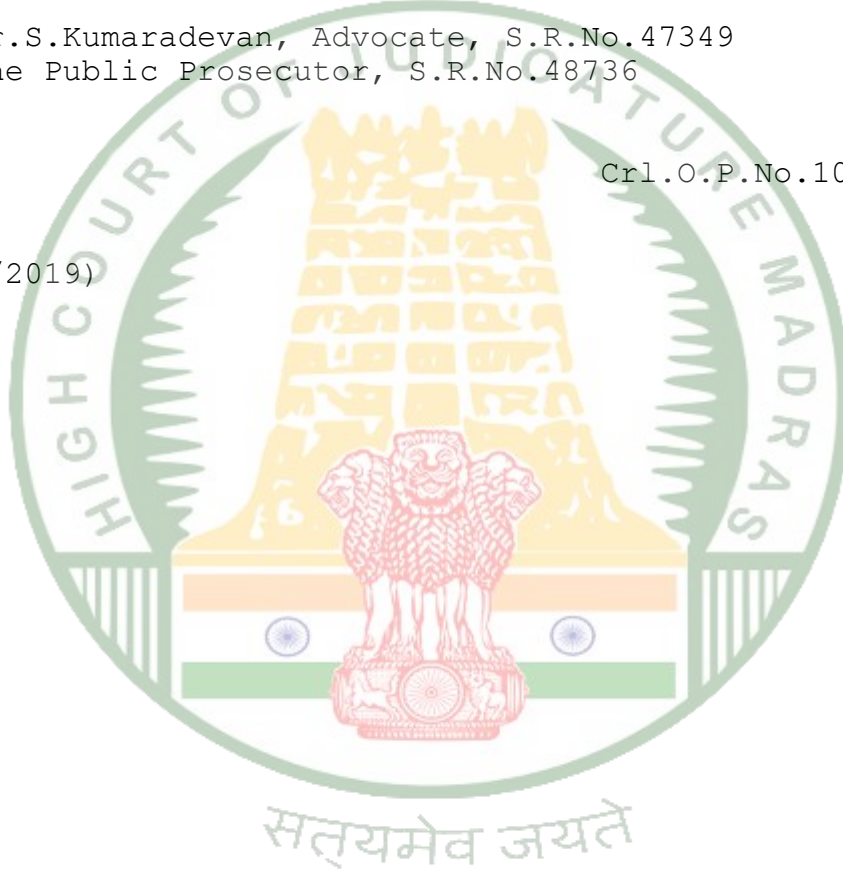
1. The Chief Secretary,
The Government of Tamil Nadu,
Fort St.George, Chennai-600 009.
2. The Director of Vigilance and Anti-Corruption
No.293, M.K.N.Road, Alandur,
Chennai-600 016.
3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Kumaradevan, Advocate, S.R.No.47349
+lcc to the Public Prosecutor, S.R.No.48736

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VBA(CO)

RRS (09/07/2019)



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