

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.12753 of 2020

J.K.M.Ammadaasan,
S/o.Muthaiyan,

...Petitioner

Vs.

1.The Director,
Vigilance and Anticorruption,
293, MKN Road,
Alandur, Chennai - 16.

2.Deputy Superintendent of Police,
Vigilance and Anticorruption,
Erode.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent Police to register the case based on the complaint of the petitioner dated 27.05.2020.

For Petitioner : Mr.A.Murugavel

For Respondents : Mr.C.Iyyappa Raj
Additional Public Prosecutor

ORDER

The petitioner had sent a complaint to the first respondent on 27.05.2020. Since no action was taken the petitioner has filed this direction petition, seeking direction to the second respondent to register the complaint.

2. The gist of the case is that the petitioner claiming himself as orator of ADMK Political Party used to travel around the state. The petitioner came across a paper news during 2019 that members of "ThuniNoulPathanidum alai KooturaSangam" conducted road block as the society failed to conduct General Body Meeting and the records of the society gone missing. Hence, the petitioner sent a complaint to various authorities, it was found that proceedings under Section 81 of the Tamil Nadu Co-operative Society, Act 1983 was initiated against the said society. During enquiry an embellishment to a tune of Rs.7.5 crores came to light. The properties of various persons involved in the scam was attached. On 24.01.2020 and 26.01.2020, the Supervising Authority gave a paper news on behalf of the Central Co-operative Bank, Erode. Further, it was found that the loans were sanctioned in the name of 150 non members and amounts were swindled by various persons from the Central Co-operative Bank, Erode. Further, mobile ATM machine of the Bank was set fire in Erode Bus Stand after removing the amount out from the machine. On enquiry it was found that the Bank Manager Mr.Gopal and Mr.Azhagiri, Chief Revenue Officer, only knew the password of the ATM machine and unless they reveal the password, the amount could not have been removed. The petitioner sent complaints to various authorities since no action was taken he filed the present quash petition.

3.The Additional Public Prosecutor filed status report and made his submissions, the petitioner sent complaint on 27.05.2020 and the same received by the first respondent on 06.06.2020. Since the allegations in the complaint was found general in nature which requires verification of documents by the Registrar of Cooperative Societies, Chennai, the Original Petition was sent to the Registrar of Cooperative Societies, Chennai vide letter in Petition No.4201/2020/COOP/ER, dated 26.06.2020, for necessary action at their end. He further submitted that the first respondent has not caused any enquiry into the contents of the above petition. The petition was not called for any enquiry on 10.07.2020 as alleged by the petitioner. He also submitted that there is a separate investigating agency Commercial Crime Investigation Wing to look after the crimes involved in Cooperative Department. It is for the Registrar of Cooperative Society to further deal with the

complaint sent by the petitioner. During enquiry, if any corruption is found and referred to the respondent they will register a case and conduct investigation.

4.The complaint of the petitioner is of general in nature without particulars, for the fire accident of the ATM machine, the petitioner himself admits that the Police has registered the case and conducted enquiry, found during the fire accident there is no cash in the ATM. As regards the allegations against the Chief Revenue Officer and other Officials the Registrar of the Cooperative Society shall verify the records and proceed further.

5. In view of the same, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Director,
Vigilance and Anticorruption,
293, MKN Road,
Alandur, Chennai - 16.
- 2.Deputy Superintendent of Police,
Vigilance and Anticorruption,
Erode.
- 3.The Public Prosecutor,
High Court, Madras.

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Cr1.O.P.No.12753 of 2020

RSK (CO)
RN(30/11/2020)