

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.13175 of 2020

Arul,
S/o.Murugaiyan,

... Petitioner

Versus

1.The Director,
The Directorate of Vigilance and Anti-Corruption,
M.K.N.Road,
Chennai - 600 016.

2.The Inspector of Police,
Vigilance and Anti-Corruption,
Silambu Nagar,
Mannai Road,
Vilamal, Thiruvavarur.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to register the petitioner's complaint dated 05.06.2020.

For Petitioner : Mr.Greetha Senthilkumar
For respondents : Mr.C.Iyyappa Raj
Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the second respondent to register the petitioner's complaint dated 05.06.2020 and to investigate the same.

2. The contention of the learned counsel for the petitioner is that the petitioner was running a Tiles Shop in the name and style of Sri Naveena Tiles in the ground floor of J.S.K Complex at Thiruvavarur District. Mrs.Kuraisabeevi was the owner of the J.S.K. Complex and the petitioner used to pay a sum of Rs.23,000/- as monthly rent to Mrs.Kuraisabeevi. Mrs.Kuraisabeevi, owner of the building approached the petitioner and informed that she in need of an amount of Rs.10 lakhs and requested the petitioner to give Rs.10 lakhs to her with promise that she will return the said amount while the petitioner vacates the premises. Therefore, the petitioner gave

a sum of Rs.10 lakhs to his owner Mrs.Kuraisabeevi. Thereafter when the petitioner decided to vacate the premises he requested his owner to return a sum of Rs.10 lakhs received from him. Mrs.Kuraisabeevi refused to return the said amount to the petitioner even after several request. Therefore, the petitioner filed an Original Suit in O.S.No.2 of 2020 on the file of the District Court, Thiruvarur, in which the petitioner sought, not to alienate, lease, mortgage, the said property pending disposal of the suit. While being so, the petitioner was shocked to know that on 22.05.2020 the said Kuraisabeevi sold the property to one Lakshmi and registered the same in Document No.1716 of 2020 on the file of the Sub-Registrar, Thiruvarur. The Sub-Registrar knowing well about the pendency of the suit had registered the sale deed in Document No.1716 of 2020 by receiving bribe from said Kuraisabeevi. Hence, the petitioner made a complaint to the respondents 1 and 2 on 05.06.2020. The complaint was received by them but no action was taken. Hence, he filed this above Original Petition.

3. The learned Additional Public Prosecutor submitted that in this case the complaint given by the petitioner was received. There is no specific instance to show payment of any bribe amount. If the petitioner is aggrieved against the registration of the sale deed in Document No.1716 of 2020, the petitioner may raise the issue in O.S.No. 2 of 2020 or he could file an appeal before the Registrar or Inspector General of Registration. The petitioner had not followed the guidelines issued by this Court before filing a petition under Section 482 of IPC. He would further submits that the complaint from the petitioner was received and the same was forwarded to the Inspector General of Registration on 01.07.2020 with reference No.DBAC.No.4713 of 2020 and prayed for dismissal of the Original Petition.

4. Considering the rival submissions and taking note of the fact that the complaint given by the petitioner has been forwarded to the Inspector General of Registration, the Inspector General of Registration shall take appropriate action and if any communication received from the Inspector General of Registration with regard to the involvement of corruption the respondents shall register a case against the Sub-Registrar, Thiruvarur.

5. This Criminal Original Petition is disposed of accordingly.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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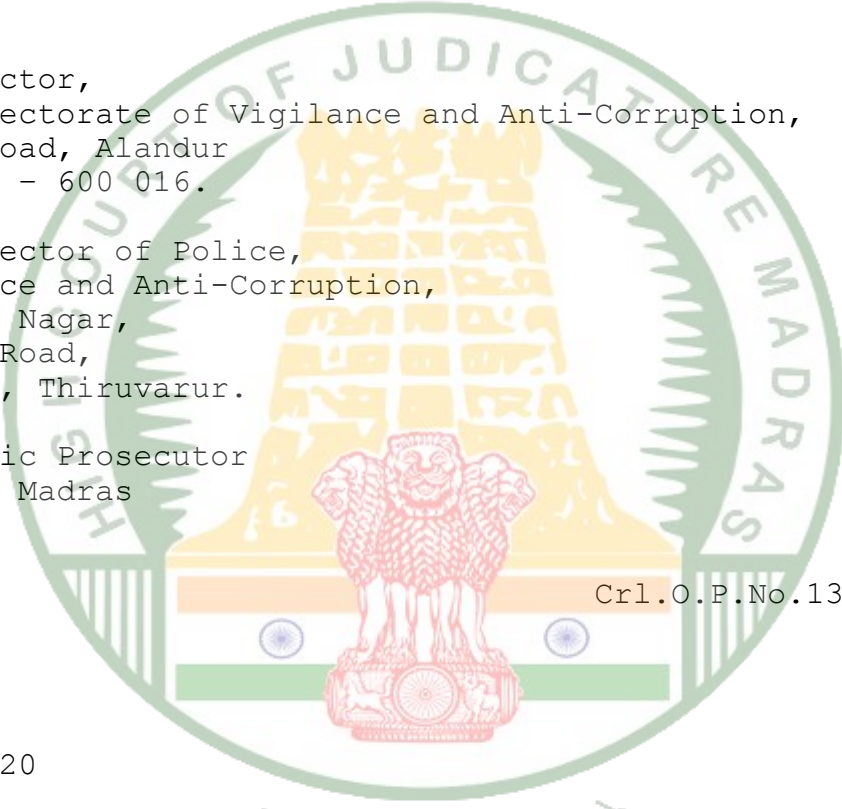
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3.The Public Prosecutor
High Court Madras

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