

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2021

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THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

WP.No.5996 of 2021

M.Prabhakaran

... Petitioner

Vs.

State rep by  
The Director,  
Vigilance and Anti Corruption Unit,  
The Directorate of Vigilance and Anti Corruption,  
No.293, MKN Road, Alandur, Chennai - 600 016. ... Respondent

Prayer: Writ petition is filed to issue a writ of mandamus to direct the respondent police to file a status report stating the actions taken on the complaint dated 30.12.2020 made by the petitioner through registered post which was received by the respondent on 07.01.2021 and complete the enquiry on the same within stipulated time fix by this Court.

For Petitioner : Mr.V.Karthikeyan

For M/s.E.Felix Parthiban

For Respondent : Mr.T.Shunmugarajeswaran,  
GA (Crl.side)

ORDER

This writ petition is filed seeking to issue writ of mandamus to direct the respondent police to file status report stating the actions taken on the complaint dated 30.12.2020 made by the petitioner through registered post which was received by the respondent on 07.01.2021 and to complete the enquiry on the same within stipulated time fixed by this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) for the respondent.

3. The case of the petitioner is that he is a practicing Advocate at Madurai and that he had lodged a complaint against one Kalaiselvi, Motor Vehicle Inspector, Regional Transport Office, Virudhunagar, Tamil Nadu in a prescribed format through registered post with acknowledgment card to the investigating agency on 30.12.2020 and that he had received a acknowledgment for delivery of the same on the respondent.

4. In the complaint, he had stated that the complaint was lodged on instruction and documents were provided by a group of young general public whose details could not be disclosed for their safety. The allegation is that the said Kalaiselvi had in the last two years purchased and got registered almost 100 acres of immovable properties in her name and in the name of her family members. The petitioner had enclosed all the particulars and copies of the sale deed. However, no action had been taken on his complaint, and no update had been given to him with regard to the complaint and thereby the petition had been filed seeking to complete the enquiry on the complaint during the stipulated time fixed by this Court.

5. The learned counsel for the petitioner would submit that the petitioner had preferred a complaint against A1/Kalaiselvi - Motor Vehicle Inspector at Virudhunagar and that he had furnished information with regard to the immovable properties to an extent of more than 100 acres purchased in her name and in the names of her family members, since no action had been taken by the respondent and no update has been given to the petitioner he has filed the present petition.

6. Mr.P.Karuppiyah, Deputy Superintendent of Police, V&AC of Virudhunagar detachment is present before this Court.

7. The learned Government Advocate (crl.side) would submit that even prior to the receipt of the complaint of the petitioner, based on certain intelligence inputs with regard to the corrupt practice of the officer/Kalaiselvi a surprise raid was conducted on 12.12.2020 and an amount of Rs.25 lakhs and 120 sovereigns of gold jewels were recovered from her car. Further, during the same surprise raid an amount of Rs.1,43,250/- had been recovered from Motor Vehicle Inspector-Shanmuga Anand/A2 and a sum of Rs.7,850/- has been recovered from one Arun Prasad/A3. Thereafter, a case has been registered in Cr.No.7 of 2020 by the V&AC Virudhunagar detachment on 13.12.2020 and the said Kalaiselvi is arrayed as A1, Shanmuga Anand had been arrived as A2 and Arun Prasad had been arrived as A3.

8. Subsequent to the registration of the case, the officers Kalaiselvi and Shanmuga Anand were suspended from service on 14.12.2020. During the course of investigation, the complaint of the petitioner dated 30.12.2020 was received by the respondent on 05.01.2021. Immediately, thereafter the complaint has been forwarded to the DSP, V&AC Virudhunagar vide Memorandum No.RC.296/2020/TPT/VN dated 22.02.2021 and the DSP was instructed to utilize the content of the petition in the ongoing investigation.

9. In the meanwhile, a house raid was also conducted at the residence of Kalaiselvi and Shanmuga Anand on 13.12.2020 and nothing incriminating was recovered from the residence of the Kalaiselvi, whereas a sum of Rs.6,46,700/- was recovered from the house of Shanmuga Anand.

10. The learned Government Advocate (crl. side) would further submit that the materials furnished by the petitioner have been taken up for consideration and based on the instruction of the higher officials in the department and after following the procedure the respondent are properly continuing with the investigation in accordance with law.

11. A request has also been addressed to the Inspector General of Registration through proper channel to verify about the genuinity and details of the documents given by the petitioner. There had been no lapse on the part of the respondent in continuing with the investigation. Since, the confidentiality have to be maintained in conducting such kind of investigation, the respondent have not informed the petitioner about the same. Further, if necessary, the respondent will summon the petitioner for the purpose of investigation. The respondent as officials of the V&AC Department have to conduct thread bare investigation and that steps are being taken by them to enquire at the places where she has worked and that every effort is taken to conduct the investigation in a proper manner. The case has been registered very recently on 13.12.2020 and the respondent/V&AC is taking every steps to gather material to complete the investigation.

12. The learned Government Advocate (Crl. side) would submit that since a detailed investigation has to be done, it will atleast take more than six month to collect various details and more over the respondent cannot be expected to disclose the progress of investigation to the petitioner. The respondent has not refused to take up the inputs given by the petitioner.

13. Recording the same, the writ petition stands closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Director, Vigilance and Anti Corruption Unit,  
The Directorate of Vigilance and Anti Corruption,  
No.293, MKN Road, Alandur,  
Chennai - 600 016.
2. The Public Prosecutor, High Court, Madras.

COPY TO:

The Deputy Superintendent of Police,  
Vigilance and Anti corruption,  
Virudhunagar District.

WP.No.5996 of 2021

GMI (CO)  
RG.19/04/2021



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