



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.[MD] No.5389 of 2021

Christina Catharine

: Petitioner

vs.

- 1.The State of Tamilnadu,
represented by the Principal,
Secretary to Government,
Personnel and Administrative Reforms Department,
Secretariat,
Fort.St.George,
Chennai 600 009.
- 2.The State of Tamilnadu,
represented by its Chief Secretary to Government,
Vigilance Commissioner and
Commission for Administrative Reforms (FAC),
Secretariat,
Fort.St.George,
Chennai 600 009.
- 3.The Director,
Directorate of Vigilance and Anti Corruption,
No.293, MKN Road,
Alandur, Chennai 600 016.
- 4.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Department,
No.16, 53A-1, Masilamani Nagar,
Near Central Jail,
Palayamkottai, Tirunelveli District 627 005.
- 5.The Inspector of Police,
Vigilance and Anti Corruption Department,
Manickam Nagar,
Shanthi Nagar,
Tirunelveli District 627 005.

6.P.Gandhi



7.P.Sasi Chitra

8.Poomani

9.Pothigai Kattapomman

10.P.Sivakumar

11.Joseph

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 to 5 herein to initiate appropriate criminal action against the respondents 6 and 7 under the penal provisions of Prevention of Corruption Act, 1988.

For Petitioner: Mr.A.Saravanan

For R1 to R5 : Mr.A.P.G.OHM.Chairma Prabhu
Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition has been filed to direct the respondents 1 to 5 herein to initiate appropriate criminal action as against the respondents 6 and 7 under Prevention of Corruption Act, 1988.

2.The learned counsel appearing for the petitioner would submit that the 6th respondent is working as Hostel Warden in the Adi Dravidar Welfare Department at Atchanputhur, Senkottai Taluk, Tenkasi District and the 7th respondent, who is the wife of the 6th respondent, is working as Teacher. The learned counsel had furnished relevant details regarding several transactions entered between the parties in the typed set of papers.

3.It is the contention of the learned counsel for the petitioner that though the Government Servants have been prohibited from conducting any commercial transactions, in the case on hand, the 6th respondent, who is working as a Government Servant, had been violating the Government Rules as well as its restrictions and in this regard, the petitioner had already given a complaint to the 5th respondent herein to conduct an enquiry as against the 6th respondent. However, the 5th respondent had not taken any steps to conduct the enquiry. Hence, the petitioner is before this Court, seeking a direction to the respondents 1 to 5 to initiate appropriate criminal action as against the respondents 6 and 7 and to register a case as against them, if sufficient



4.The learned Government Advocate (Crl.Side) appearing for the respondents 1 to 5 would submit that based on the complaint given by one S.Joseph, already a case in Cr.No.10 of 2020 for the offence under Sections 13(2) r/w 13(1) (b) of the Prevention of Corruption Act, 1988 as amended by Act, 2018 has been registered against the 6th respondent by the respondent police and now investigation is going on. He would further submit that only in order to wreak vengeance, the petitioner has filed the present criminal original petition and he requested this Court that this petition may be closed, by recording the aforesaid facts.

5.In view of the submission made by the learned Government Advocate (Crl.Side), this Court is of the view that no purpose will be served by keeping the matter pending and accordingly, this Criminal Original Petition stands closed.

Sd/-

Assistant Registrar (T&P)

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Sub Assistant Registrar (CS)

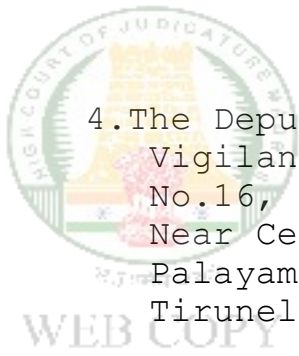
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To

1.The Secretary to Government,
Personnel and Administrative Reforms Department,
Secretariat,
Fort.St.George,
Chennai 600 009.

2.The Chief Secretary to Government,
Vigilance Commissioner and
Commission for Administrative Reforms (FAC),
Secretariat,
Fort.St.George,
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3.The Director,
Directorate of Vigilance and Anti Corruption,
No.293, MKN Road,
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4.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Department,
No.16, 53A-1, Masilamani Nagar,
Near Central Jail,
Palayamkottai,
Tirunelveli District 627 005.

5.The Inspector of Police,
Vigilance and Anti Corruption Department,
Manickam Nagar,
Shanthi Nagar,
Tirunelveli District 627 005.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+3 CC to Mr.A.SARAVANAN, Advocate (SR-16370[F] dated 19/04/2021)

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KM(24.05.2021) 4P 10C