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CRL.O.P.No.22211 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.22211 of 2022

Ramesh

... Petitioner

Versus

The State rep. By,
The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Cuddalore Detachment,
Cuddalore District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent to register the complaint of the petitioner dated 11.04.2022 and investigate the same in accordance with law.

For Petitioner : Mr.M.Velmurugan

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl. Side)



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ORDER

This petition has been filed seeking a direction to the respondent to register the complaint of the petitioner dated 11.04.2022 and investigate the same in accordance with law.

2. This Court had passed the following order on 15.09.2022:

"The Petitioner filed a complaint before the Directorate of Vigilance and Anti Corruption (DVAC) on 11.04.2022 and was informed by the Directorate of Vigilance & Anti Corruption (DVAC) office that the complaint has been forwarded to the District Collector, Cuddalore, who in turn, forwarded the same to the Revenue Divisional Officer, Virthachalam. Thereafter, there was no progress. Hence, the Petitioner has filed this Petition.

2. Mr.S.Udaya Kumar, learned Government Advocate (Crl. Side) appearing for the Respondent submitted that on receipt of the Petitioner's complaint, the same was forwarded to the District Collector, Cuddalore with intimation to the Petitioner and thereafter, the District Collector, Cuddalore forwarded the same to the Revenue Divisional Officer, Virthachalam and steps have been taken to find out the stage of the enquiry by the Revenue officials and also to find out the veracity of the Petitioner's complaint and seeks small accommodation.



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3. *To report about the enquiry conducted by the Revenue Divisional Officer, Virthachalam, post the case on 11.10.2022.”*

and on 11.10.2022, the following order was passed:

“In continuation and conjunction of the order passed by this Court dated 15.09.2022, wherein, the Revenue Divisional Officer, Viruthachalam was directed to report about the enquiry conducted by him.

2. Today, the learned Government Advocate (Crl. Side) appearing for the respondent produced a copy of the communication from the Sub Collector, Viruthachalam in Na.Ka.No.A4/3812/2022 dated 10.10.2022, wherein it is stated that on 30.09.2022, the enquiry was conducted. On that day, one Ramalingam appeared and made his submissions and filed counter statements through his Advocate. Thereafter, on 07.10.2022, again Ramalingam, Baskar, Latha and Maheswari appeared and made their submissions. Further, on 07.10.2022, one Madhivanan also appeared, but he has not produced any documents and the enquiry is posted on 14.10.2022 for production of documents by Madhivanan. Further, it is stated that the Revenue records has been produced. For perusal of the revenue records, for conducting final enquiry and to furnish a report, he seeks one month's time.



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3. In view of the above, one month time is granted for the above said purpose. The District Collector, Viruthachalam is directed to monitor the enquiry and ensure that the enquiry is completed within the stipulated time. The Deputy Superintendent of Police, Vigilance and Anti-Corruption Department, Cuddalore is also directed to co-ordinate with the enquiry officer in this regard.

4. Post the matter on 14.11.2022.”

3. In continuation and conjunction to the earlier order passed by this Court on 15.09.2022 and 11.10.2022, a report has been submitted by the respondent Police. The Deputy Collector, Virudhachalam vide his proceedings in Moo.Mu(A4) 3646/2022 dated 08.11.2022, after detailed enquiry and on perusal of the documents and submission made by the parties, ordered cancellation of patta issued in the name of individuals in Survey Nos.49/2, 49/4, 49/5, 49/6, 49/15, 49/16 and 49/18 and directed restoration of the land as “Grama Natham”. Thereafter, following the same, the Tahsildar, Thittakudi vide his communication in Na.Ka.Aa2/2715/2022 dated 17.11.2022, cancelled the patta issued in the name of the individuals in



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Survey Nos.49/2, 49/4, 49/5, 49/6, 49/15, 49/16 and 49/18 and restored the same in the revenue records as “Grama Natham”. The proceedings of the Sub Collector as well as Tahsildar are produced.

4. Recording the same, this Criminal Original Petition is disposed of.

18.11.2022

Index: Yes/No

Internet: Yes/No

rsi

To

1.The Deputy Superintendent of Police,
Vigilance and Anti Corruption Wing,
Cuddalore Detachment,
Cuddalore District.

2.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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