



W.P.No.31814 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.09.2022

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

W.P.No.31814 of 2019

Kandaswamy,

... Petitioner

/versus/

1. The Director General of Police,
Crime Branch – Crime Investigation Department (CBCID),
No.24, Pantheon Road, Old Commissioner Office,
Egmore, Chennai – 600 008.
2. The Additional Director General of Police,
Crime Branch – Crime Investigation Department (CBCID),
No.24, Pantheon Road, Old Commissioner Office,
Egmore, Chennai – 600 008.
3. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai – 600 007.
4. The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai – 600 035.
5. The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamaraj Salai, Near Vivekanda House,
Ayothiya Nagar, Triplicane, Chennai – 600 005.



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6. D.Venkatesh,
S/o.Dhanapal.

7. Jagadesan,
S/o.Thanapal

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 1st respondent to investigate the entire fraud narrated by the petitioner in his representation/complaint dated 21.10.2019 and pass orders.

For Petitioner	: Mr.S.Sathish Rajan
For R1 to R3 & R5	: Mr.N.S.Suganthan, Government Advocate(Crl.Side)
For R4	: Mr.D.Veerasekarn
For R6	: Mr.M.Saravanan
For R7	: No appearance

ORDER

This Writ Petition is filed to issue Mandamus directing the respondents to take legal action against the named persons and others, alleging that, they have conspired and indulged in the massive scam of allotting housing



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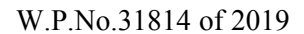
board tenements.

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2. It is stated that the petitioner has sent the representation to the respondents 1 to 5, on 21.10.2019, requesting them to take legal action against the persons who were all involved in the scam, the present Writ Petition was filed alleging that, there is no action on the part of the respondents.

3. Thereafter, this petitioner has moved this Court by filing petition under Section 482 of Cr.P.C., in CrI.O.P.No.1156 of 2021, stating that, though case has been registered in Crime No.329 of 2018 in respect of scam in allotting the housing board tenements, there is no progress in the investigation.

4. This Court, on taking note of the fact, had directed the respondents to complete the investigation within period of eight weeks. This order was passed in CrI.O.P.No.1156 of 2021 on 27.01.2021. While so, Thiru.Ramu, Thiru.Jalaluddin and Thiru.Rajkumar have filed petition CrI.O.P.No.13143 of 2021 to transfer the investigation to CB-CID. In the said petition, this Court, *vide* order dated 22.08.2022, has directed the respondents police to complete the



5. It is contended by the Learned Counsel for the petitioner that though there is a specific order passed by this Court in the Crl.O.P.No.1156 of 2021 and Crl.O.P.No.13143 of 2021 filed under Section 482 of Cr.P.C., to complete the investigation within period of eight weeks, in spite of more than 20 months have lapsed, there is no progress.

6. The Learned Government Advocate (CrI.Side) for the respondents submit that, in this case, about 96 victims have come forward to give statements about the manner in which they have been defrauded and same has been recorded and documents collected. The Investigating Officer has completed the investigation and has prepared the draft final report. After examining the draft final report and the documents collected, with the approval of the Senior Officers, the final report will be filed in due course.

7. Taking note of the fact that, as far as prayer in this Writ Petition is concern, relief already been complied by registering the Crime No.329 of 2018



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dated 08.05.2018 and in Crl.O.P.No.1156 of 2021 direction issued to complete the investigation within period of eight weeks. For the reasons stated in the status report, some delay has occurred. However, investigation is almost completed and in advance stage of filing the final report and already this Court has directed the Investigating Officer to file the final report within period of eight weeks. Therefore, no further order is required. However, if there is any breach of the direction passed by this Court, *vide* order dated 22.08.2022, it is always open to the petitioner herein to approach this Court for appropriate remedy.

8. With the above observation, this *Writ Petition is disposed of*. No costs.

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Index :Yes/No.
Speaking order/Non speaking order.

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