



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.33705 of 2019

63 Moons Technologies Ltd.
Formerly known as M/s.Financial Technologies (India) Ltd,
Rep. by its Authorized Signatory Mr.D.John Deepak,
Having its Registered Office at Shakti Tower-1, 7th Floor,
Premises E,766, Anna Salai,
Thousand Lights, Chennai - 600 002.

...Petitioner

vs.

1. Office of Central Vigilance Commissioner of India,
Represented by its Secretary,
Satarkata Bhavan, A-Block, GPO Complex,
INA, New Delhi - 110 023.

...1st Respondent

2. Department of Economic Affairs,
Ministry of Finance,
Dept. of Economic Affairs,
North Block, New Delhi-110 001.

...2nd Respondent impleaded vide order dated
05.01.2022 in
W.M.P.No.21665 of 2021

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to complete the investigation within a reasonable time frame as this Hon'ble Court may deem fit in the facts and circumstances of the present case.

For Petitioner : Mr.Nithyaesh and Vaibhav

For Respondent R1 : M/s.Venkataswamy,
Special Govt. Pleader,
Government of India.

ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's complaint dated 15.05.2019 and complete the



investigation as early as possible.

2. The case of the petitioner is that the petitioner firm has made a complaint against one Ramesh Abishek, The Chairman, Forward Markets Commission (in short FMC) regarding criminal misconduct committed by him before the 1st respondent. However, till date no action has been taken and the investigation has not been completed under the procedure set out under Section 8(1)(d) of the Central Vigilance Commission Act, 2003 Hence, this Writ Petition.

3. The learned counsel for the petitioner submitted that the petitioner has filed a complaint against the Chairman of FMC, one Ramesh Abishek before the 1st respondent and the same was received and acknowledged by the 1st respondent on 16.05.2019. While being so, no action has been initiated by the 1st respondent. Hence, he submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's complaint dated 15.05.2019 and to complete the enquiry within the time stipulated by this Court.

4. The learned counsel appearing for the 1st respondent submitted that the petitioner has made vague allegation against one Ramesh Abishek, The Chairman, FMC without impleading him as a party/respondent. However, he fairly conceded that the petitioner's representation dated 15.05.2019 will be considered and appropriate orders will be passed after providing opportunity of hearing to the Chairman, FMC within the time frame fixed by this Court.

5. In view of the above, this Court without going into the merits of the case, issues direction to the respondents to consider the petitioner complaint dated 15.05.2019 as per the procedure contemplated under Section 8(1)(d) of the Central Vigilance Commission Act, 2003 and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order after providing opportunity to the aggrieved parties / The Chairman, FMC .

6. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

skt



To:

1. Office of Central Vigilance Commissioner of India,
Represented by its Secretary,
Satarkata Bhavan, A-Block, GPO Complex,
INA, New Delhi - 110 023.

2. Department of Economic Affairs,
Ministry of Finance,
Dept. of Economic Affairs,
North Block, New Delhi-110 001.

+1cc to M/s.Venkataswamy, Advocate, S.R.No.1521

W.P.No.33705 of 2019 and
W.M.P.No.21665 of 2021

AD(CO)
CT 08/02/2022