



WA No.1110 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WA No.1110 of 2023
and CMP No.11204 of 2023

P.D.Sundaresan

.. Appellant

-VS-

1. The Director of Vigilance and
Anti-Corruption, No.29, M.K.N.Salai,
Collector Nagar, Alandur, Chennai 600 016.

2. Vadivel

3. S.Murugan

(RR 2 and 3 deleted vide order of Court
dt.17.05.2023 made in WA.)

.. Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge dated 24.02.2023 passed in W.P.No.4560 of 2023.

For the Appellant : Mr.T.Sundaravadanam

For the Respondent : Mr.R.Muniyappa Raj
Addl. Public Prosecutor for R-1

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JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.T.Sundaravadanam, learned counsel for the appellant and Mr.R.Muniyappa Raj, learned Additional Public Prosecutor for the first respondent.

2. The appellant had filed the writ petition seeking directions against the respondent to consider his representation. The learned Single Judge dismissed the writ petition.

3. The learned counsel for the appellant submits that the finding of the learned Single Judge that the appellant is the signing authority and without his knowledge the money could not have been swindled by the accused person is without evidence.

4. The learned Single Judge while dismissing the writ petition has not given any positive finding about the involvement of any person. The statement made by the learned Additional Public Prosecutor is recorded and the observation is made in the context of the statement



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made by the learned Additional Public Prosecutor. It is for the Court dealing with the criminal case to take decision on the basis of the evidence adduced before it.

5. The learned Additional Public Prosecutor states that the sanction has been applied for in July 2023 and the same is not received. After receipt of the sanction, the chargesheet would be filed.

The writ appeal is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(D.B.C., J.)

20.12.2023

Index : Yes/No

Neutral Citation : Yes/No

sra

To

1. The Director of Vigilance and Anti-Corruption, No.29, M.K.N.Salai, Collector Nagar, Alandur, Chennai 600 016.



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

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