



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

THE HONOURABLE Mr. JUSTICE M.DHANDAPANI

WP.No.3924 of 2015

C.Rajan

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Petitioner

Vs

1. The Secretary to Government,
Revenue Department,
North Block,
New Delhi.

2. The Director General
Directorate of Revenue Intelligence,
D-Block, I.P.Bhavan,
I.P. Estate, New Delhi.

3. The Director,
Central Bureau of Investigation,
CGO Complex, Lodhi Road,
New Delhi.

4. The Deputy Inspector General of Police,
Head of Branch,
Central Bureau of Investigation,
Anti Corruption Branch,
Shastri Bhavan, Chennai-6.

5. L.S.Padmakumar

6. Velli Pandi

7. C.S.Mani

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8. F.Ubaidullaj

9. Stalin Joseph

10. The Assistant Commissioner (Vigilance)
Directorate General of Vigilance,
Customs and Central Excise,
2nd and 3rd Floor, Hotel Samrat,
Chanakya Puri, Kautilya Marg,
New Delhi.

11. The Additional Superintendent of Police,
SPE, CBI, ACB,
Shastri Bhavan,
Haddows Road,
Chennai-6.

....Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the impugned proceedings of the 10th respondent in F.No.V-569/02/2014/659, dated 20.02.2014 and quash the same.

For Petitioner : Mr.V.Selvaraj

For Respondent : Mr.Rajnish Pathiyel RR1, 2 & 10
Mr.K.Srinivasan Spl. PPCCBL
RR3 to 7 & 11
R8 – No appearance
R9 - NRN

ORDER

This petition has been filed seeking to quash the impugned proceedings of the 10th respondent in F.No.V-569/02/2014/659, dated 20.02.2014.

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2. It is the case of the petitioner that he was appointed as an Additional Director General of Revenue Intelligence, Chennai in the year 2010 and based on the complaint, he was arrested by the CBI and remanded to judicial custody and FIR has also been registered against him for money laundering. Subsequently, the CBI filed charge sheet in CC.No.51/2012 on the file of the XIII Principal Special Judge for CBI Cases, City Civil Court, Chennai and the same is pending. In the meanwhile, the petitioner has filed a writ petition before this Court in W.P.No.22374/2012 forbearing the respondents 3 to 7 from taking further action on the basis of the FIR registered against him. This Court vide its order dated 20.12.2013, disposed of the same by directing the first respondent either to enquire by himself into the representation of the petitioner dated 12.07.2012 given the circumstances under which the writ petitioner was allegedly fixed or in the alternative to forward a copy of the petitioners representation dated 12.07.2012 to the 3rd respondent for a detailed enquiry into the same. In such circumstances, the present impugned order has been issued on 20.02.2014 calling for enquiry in respect of various claims/allegations.



Challenging the same, the present writ petition has been filed.

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3. The learned counsel for the petitioner submitted that during pendency of the writ petition, the criminal case registered as against the petitioner has ended in acquittal. As against which, the CBI preferred appeal before this Court, in which, this Court granted leave to file an appeal and the said appeal has also been admitted before this Court. The learned counsel further submitted that based on the criminal proceedings, this Court may permit the petitioner to file a defamation case against the persons who are manipulates the records and fixed the petitioner and liberty may be granted to the petitioner to claim damages.

4. Heard both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this court grants liberty to the petitioner to work out the remedy in the manner known to law any other relief as he wants.



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6. With the above directions, the writ petition is disposed of. No costs.

04.09.2024

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To

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I.P. Estate, New Delhi.

3. The Director,
Central Bureau of Investigation,
CGO Complex, Lodhi Road,
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4. The Deputy Inspector General of Police,
Head of Branch,
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Anti Corruption Branch,
Shastri Bhavan, Chennai-6.

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5. The Assistant Commissioner (Vigilance)
Directorate General of Vigilance,
Customs and Central Excise,
2nd and 3rd Floor, Hotel Samrat,
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6. The Additional Superintendent of Police,
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