

FIRST INFORMATION REPORT

முதல் தகவல் அறிக்கை
(Under Section 154 Cr.P.C.)
(சூ.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-I

1. District : Chennai PS: Chennai City-11 Year: ஆண்டு C 8030869
மாவட்டம் காவல்நிலையம் ஆண்டு முதலா. எண் நாள் 5/Ac/2018/EC-11 09.08.2018
2. (i) Act சட்டம்: IPC Sections பிரிவுகள்: 468, 471, 420, 409 & 109
(ii) Act சட்டம்: prevention of corruption Act 1988 Sections பிரிவுகள்: 13(2) & 13(1)(c) &
(iii) Act சட்டம்: Sections பிரிவுகள்: pc Act
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
3. (a) Occurrence of Offence Day : Date from : 08.07.2018
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை
Time Period : Time from :
நேர அளவு நேரம் முதல் நேரம் வரை
(b) Information Received at PS. Date : 09.08.2018 Time : 09.08.2018
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம் 13.00 Hrs
(c) General Diary Reference : Entry No(s) Time : 13.00 Hrs
பொது நாட்குறிப்பில் பதிவு விவரம் எண் 09.08.2018 நேரம் 13.00 Hrs
4. Type of Information : Written/ Oral :
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக Written complainant
5. Place of Occurrence (a) Direction and Distance from PS: Ayyanchery, south, 20 KM
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும்
Beat Number : (b) Address :
முறைக் காவல் எண் முகவரி
- (c) In case outside limit of this Police Station, then the Name of P S : District :
இக்காவல் நிலைய எல்லைக்கப்பால் நடந்து இருக்குமாயின், அந்நிலையில் அந்த கா.நி.பெயர் மாவட்டம்
6. Complainant /Informant (a) Name : Tr. R. Velupillai (b) Father's/ Husband's Name :
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : (d) Nationality : INDIAN (e) Passport No. :
நாள் / பிறந்த ஆண்டு நாட்டினம் வெளிநாட்டு கடவுச்சீட்டு எண்
Date of Issue : Place of Issue :
வழங்கப்பட்ட நாள் வழங்கப்பட்ட இடம்
(f) Occupation : (g) Address : no: 2, Pachaiyappa Mundali street,
தொழில் முகவரி Kancheepuram.
7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary) :
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தான் இணைக்கவும்) ① Tr. C. Krishnamoorthy s/o Tr. Chithirai, formerly
Commissioner, Kattankulathur panchayat Union ② Tr.
M. Santhappan s/o munusamy, formerly BDO, ③ Tr.
R. Kavithasani w/o Satharunomuthu, DR, formerly SRO Guduvan
Chery. ④ Tr. V. Amburaj s/o Varukel, formerly VAO Urappakkam
8. Reasons for delay in reporting by the complainant / Informant : ⑤ Tr. R. Kamalakanan s/o Renganathan
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

Due to preliminary Enquiry PE 265/2017/RDP/ECM

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)
களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)
10. Total value of properties stolen / involved :
களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் மொத்த மதிப்பு
11. Inquest Report / Un-natural death Case No. if any:
பிண விசாரணை அறிக்கை / இயற்கைக்கு மாறான இறப்பு எண் ஏதேனும் இருந்தால்
12. FIR Contents (Attach separate sheet, if required) :
முதல் தகவல் அறிக்கையின் சுருக்கம், (தேவையெனில் தனித்தாளில் இணைக்கவும்)

Attach separate sheets

13. Action taken : Since the above report reveals commission of offence(s) u/s as mentioned at item No.2 registered the case and took up the investigation / directed Rank to take up the investigation / Refused Investigation / transferred to PS Rank on point of jurisdiction.

எடுக்கப்பட்ட நடவடிக்கை : மேலே குற்ற முறையீட்டில் உள்ளவை பிரிவு 2ல் கூறப்பட்ட சட்ட பிரிவுப்படியான குற்றமாக வழக்கு பதிவு செய்து புலனாய்வுக்கு எடுத்துக்கொள்ளப்பட்டது / பணிக்கப்படுதல் பதவி நிலை பணியாளரின் புலனாய்வுக்கு எடுத்துக்கொள்ள பணிக்கப்பட்டது / மறுக்கப்பட்டு எல்லையைக் கருதி புலனாய்வுக்கு காவல் நிலையத்திற்கு மாற்றப்படுகிறது.

FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

முதலு குற்றமுறையீட்டாளருக்கு / தகவல் தந்தவருக்கு படித்துக்காட்டி, அது சரியாக எழுதப்பட்டு இருப்பதாக ஏற்றுக் கொள்ளப்பட்டு, அதன் படி நகல் ஒன்று இலவசமாக கொடுக்கப்பட்டது.

14. Signature / Thumb Impression of the Complainant / Informant
குற்றமுறையீட்டாளர் / தகவல் கொடுப்பவரின் ஒப்பம் / பெருவிரல் இரேகைப் பதிவு

Signature of the Officer in-charge, Police Station
காவல் நிலைய பொறுப்பு அலுவலரின் ஒப்பம்

15. Date & Time of despatch to the court:
நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாளும், நேரமும்

Name: பெயர் S. JOHN CLEMENT
Rank: நிலை D.I.P. No. எண்

09.08.2018

V&AC, ec-III, Chennai

Chennai V&AC, Chennai City-III, Crime No. 05/AC/2018/CC-III FIR continuation (Column 12):-

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| <p>AO1) Tr.C.Krishnamoorthy, M/A-60/2017, S/o Tr.Chithirai, formerly Commissioner, KattankulathurPanchayat Union (Retd.), Kanchipuram District.</p> <p>AO2) Tr.M.Santhappan, M/A-63/2017, S/o. Tr.M.Munusamy, formerly Block Development Officer, KattankulathurPanchayat Union Office (Retd.), Kanchipuram District.</p> <p>AO3) Tmt.R.Kavitharani, F/A-46/2017 W/o Tr.K.Saravanamuthu, District Registrar, formerly Sub Registrar, Guduvanchery Sub Registry, Kanchipuram District. Now Sub Registrar (District Cadre) Villivakkam Sub Registry, Central Chennai.</p> <p>AO4) Tr.V.Amburose, M/A-60-2017, S/o. Tr.M.Varuvel, formerly Village Administrative Officer (Retd.), Urapakkam&Ayyanchery village, Kanchipuram District.</p> <p>A5) Tr.R.Kamalakaran, M/A-64/2017, S/o Renganathan, No.1/262, Kurinchi Street, Sriram Nagar Extn., Old Perungalathur, Chennai – 63. Private Individual.</p> | <p>Today on 09.08.2018 at 13.00 Hrs when I was in my office, as per the instruction of Directorate of Vigilance and Anti-Corruption, Chennai, a case was registered in Chennai V&AC, Chennai City-III, Cr.No.05/AC/2018/CC-III, u/s 468 r/w 109, 471, 420, 409 of IPC and 13 (2) r/w 13 (1) (c) of PC Act 1988 against A1 to A4 and against A5 u/s 468, 471, 420, 409 r/w 109 of IPC and 13(2) r/w 13(1) (c) of PC Act. The detail of the case runs as follows:-</p> <p>Based on a petition received from Thiru R.Velupillai, No.2, Pachaiyappa Mudali Street, Kancheepuram dated 26.05.2017 by the Commissioner of Land Administration, Land Administration Department, Chepauk, Ezhilagam, Chennai-5 which has been forwarded to the Directorate of Vigilance and Anti-Corruption, Chennai, a Preliminary Enquiry was conducted to enquire into the allegations that the land situated in</p> |
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Old Survey No.94 New Survey No. 119/22 and 121/21 Ayyancheri Village, Kancheepuram District, which was gifted to Kattankulathur Panchayat Union for public utility by SashtiriBhavan Staffs' Housing Welfare Society and one Tr.Kamalakaran residing at No.23, Reddypalayam 2nd Street, Mudichur Road, West Tambaram, Chennai-45 had grabbed the above land and obtained bogus patta. Further in column No. 7 Accused Officer AO1) Tr.C.Krishnamoorthy, S/o Tr.Chithirai, who was working as Commissioner, Kattankulathur Panchayat Union and Accused 2 Tr.M.Santhappan, S/o. Tr.M.Munusamy, who was working as Block Development Officer, Kattankulathur during the year 2013 have not taken any legal action against the Accused Kamalakaran who grabbed the Government land for their pecuniary advantages and thereby caused loss to the Government land worth about rupees five crores.

The Preliminary Enquiry reveals the facts as given hereunder:-

Accused 1 Tr.C.Krishnamoorthy who was formerly working as Block Development Officer from 01.01.2013 to 31.12.2013 and Commissioner KattankulathurPanchayat Union during the period from 16.06.2014 to 24.02.2016 (Now retired from service), Accused 2 Tr.Santhappan who was formerly working as Block Development Officer, Kattankulathur, Panchayat Union Office from 18.07.2013 to 30.11.2013. (Now retired from service), Accused 3 Tmt.R.Kavitharani who was formerly working as Sub Registrar, Guduvanchery Sub-Registry, Kancheepuram District during the period from 02.03.2009 to 01.07.2011. Now District Registrar, Villivakkam, Sub Registry, Central Chennai, Accused 4 Tr.V.Amburose, S/o Tr.M.Varuvel, who was working as Village Administrative Officer, Oragadam additional incharge of Urapakkam and Ayyanchery Village, Kancheepuram during the year 2008. (Now retired from service) were public servants within the meaning of section 2(c) of the Prevention of Corruption Act 1988.

Accused 5 Tr.R.Kamalakannan, S/o Renganathan who was residing at No. 1/262, Kurinchi Street, Sri Ram Nagar Extension, Old Perungalathur, Chennai-63 is a private individual.

(1) The Preliminary Enquiry further reveals that the society under the name and style of Sashtribhavan Staff's Housing Welfare Society is a registered society formed in the year 1979 consisting of the staffs and officials who were working in the offices at Sashtribhavan building. They purchased lands to provide house sites to the society members through the subscriptions of the members of the society. They purchased lands in Adambakkam village and Ayyancheri Village during the year between 1982 and 1985. Ayyancheri Village situated at Urapakkam Panchayat, Kattankulathur Panchayat Union, Chengalpattu Taluk, Kancheepuram District. The society had purchased 94.6 acres in Survey No. 93/2, 94, 95/2, 98, 99, 102/a, 2, 3, 105, 106/1, 2, 108, 109/1, 2, 3 and 116 and for the entire land patta No.167 was assigned.

For the lands purchased at Ayyancheri village, Sashtribhavan Staff's Housing Welfare Society had applied and got layout approval in the year 1984-1985 from Kattankulathur Panchayat Union in DTCP No. 84/119/L.P.103 vide R.C.No. 2495 of 1984 dated 16.06.1984.

The layout consists of 996 residential plots, Commercial School, Community Hall, Post Office sites and public utility sites such as park and children's playground. The above layout was named as Madurai Meenakshipuram layout. The society had sold nearly 960 plots during 1985-1986 itself by registered sale deeds through its President Tr.N.Doraivelu. In the layout in Survey No. 121, 119/22 adjacent to plot No. 225, 236, one acre 92 cents of land was given by the society for public utility purpose by a gift deed vide Pa.Mu.No.2709/1985 dated 08.04.1985 and the panchayat union gave an acknowledgement for the same but did not receive the said deed.

In the year 1986 under UDR scheme, the entire 94.6 acre lands of the society was surveyed and assigned new survey numbers to the purchasers with individual pattas. For unsold residential plots commercial sites and the area for public purpose were assigned in the society's patta No. 176 in the year 1986 since the public utility area was not transferred in the name of the local body (ie.) Kattankulathur Panchayat Union in the Revenue Records.

(2) Further the Preliminary Enquiry reveals that A5, Tr.R.Kamalakaran had created false documents in respect of the above society's land which was gifted in the year 1985 to Kattankulathur Panchayat Union. The accused A5 created an unregistered sale deed dated 03.02.1958, as if the above said land was purchased by Tmt.Jeyalakshmi. He had further created an unregistered settlement deed, as if the said Tmt.S.Jeyalakshmi, W/o Seshapillai (grandmother of A5 accused) had executed settlement deed in the year 1975 in favour of her daughter Tmt.Pushpammal, W/o Tr.V.Renganathan (Mother of A5 accused). In the schedule it is mentioned as landed property in old Survey No. 94 to the extent of 60 cents in patta No. 795 and 1.32 acres in patta No. 792 in old Survey No. 98. Then the accused A5 created another document, as if Tmt.Pushpammal, W/o V.Renganathan through a registered settlement deed No. 9272/2010 dated 03.10.2010 transferred the property in favour of her son Tr.R.Kamalakaran (A5 accused) and registered at Guduvancheri Sub Registrar Office.

(3) The enquiry reveal that the settlement deed registered in Guduvanchery Registrar Office vide Doc.No.9272/2010 dated 03.10.2010 was found to be made without valid parent documents. In the settlement deed, previous document of origin for the scheduled property was shown as Doc No. 2913/1962 of Tambaram SRO. But actually while verifying the document 2913/1962 of SRO, Tambaram, the document relate to a property situated at Muduchur Village and the document 2913/1962 is not a sale deed and is not relevant to this property.

The enquiry reveals that on perusal of the certified copy of the settlement deed of Doc.No. 9272/2010 given by SRO, Guduvancheri to the enquiry officer, in the fourth page of the settlement deed it is mentioned as "*the settler purchased the schedule mentioned property and detailed in 2 items by way of sale deed dated 13.10.1962 vide registered sale deed Doc No. 2913/1962 in SRO Tambaram*".

Whereas, in the other certified copy the settlement deed of Guduvanchery SRO Doc No. 9272/2010 filed by A5 Kamalakannan in the original suit No. 211/2011 on the file of Hon'ble District Munsif court in Chengalpattu in the fourth page, it is mentioned as "whereas the settler purchased the schedule mentioned property and detailed in 2 items by way of settlement deed 15.11.1975 by her mother S.Jeyalakshmi". The then Sub Registrar of Guduvancheri Tmt.R.Kavitharani (A3) had signed both the documents.

(4) It reveals that the unregistered settlement deed of 1975 is a forged and false document created with intention to grab the above said land and utilizing the fact that even though the land for public utility was gifted to the Kattankulathur Panchayat Union by the society the above properties were not entered in the revenue records in the name of the Kattankulathur Panchayat Union and thereby the settlement Deed Doc No. 9272/2010 of Guduvanchery was registered with Guduvanchery SRO. The A3 Tmt.R.Kavitha Rani without following the rules and regulations of Registration of documents and without verifying the documents with the Sub Registrar Office and revenue records and without verifying the parental documents, helped A5 whose intention was to cheat and grab the lands of Sashtiribhavan Society by creating false and forged document and thereby facilitate A5 to obtain undue pecuniary advantage.

(5) The Enquiry further reveals that after registration of falsely created documents the A5 had applied for patta and approached Urapakkam and Ayyanchery Village Administrative Officer Tr.Amburose, A4 and negotiated with the VAO. The A4 Tr.Amburose had prepared RPT file No. 7088/2008 for patta No. 3025 and RPT file No. 12484/2008 for patta No. 3092 in the name of Tmt.Pushpammal based on the false documents submitted by A5 Tr.R.Kamalakaran, without verifying the revenue records and without making field verification, recommended to the Tahsildar, Chengalpattu, for the issue of pattas, for 1.92 acres in favour of Tmt.Pushpammal, W/o Tr.Renganathan as if the documents cheated by A5 were genuine, to obtain pecuniary advantages, misused his official position and thereby facilitated A5 accused to grab the society's land which was already gifted to Kattankulathur Panchayat Union.

The pattas No.3092 and 3025 in the name of Tmt.Pushpammal, mother of A5 were cancelled by the Revenue Divisional Officer, Chengalpattu vide proceedings 553/2012 dated 26.10.2016 and on the appeal filed by A5 the cancellation of patta order issued by the RDO was confirmed by the District Revenue Officer, Kancheepuram vide proceedings டி.க. 2379/2017 No.4 dated 08.01.2018.

(6) After getting bogus pattas with the help of forged and falsely created documents, the A5 Tr.R.Kamalakaran grabbed the society's properties intended for the public utility. On 25.07.2013 Tr.Velupillai had given a petition about the A5's criminal activities and requested to take action to recoup the Panchayat Union's lands. In spite of repeated request made to take necessary action against the land grabbing activities of A5, the A1 Tr.C.Krishnamoorthy, the former Commissioner and A2 Tr.N.Santhappan former Block Development Officer, having entrusted with or dominion over the property by means of gift deed and having given the acknowledgement and again in the year of 2012 both accused having acquired knowledge by means of deed of declaration dated 29.08.2012, and both of them being custodian of properties with an

implied duty to protect the said property of the Panchayat union, violated the direction of law by willfully allowing A5 to convert the said property to his own use.

(7) The above acts of the A1 to A5 constitute suspicion of commission and abetment by each other of the cognizable offences of cheating, forgery for the purpose of cheating, using the forged documents as genuine, criminal breach of trust and thereby committed criminal misconduct by public servants and facilitating a private individual A5 to grab a valuable property worth Rupees 5 crores to obtain pecuniary advantage.

(8) Therefore I register a case against A1 Tr.C.Krishnamoorthy, formerly Commissioner, Kattankulathur Panchayat Union, A2 Tr.M.Santhappan, formerly Block Development Officer, Kattankulathur Panchayat Union, A3, Tmt.R.Kavitharani formerly Sub Registrar of Guduvanchery Sub Registry, A4 Tr.V.Amburose, formerly incharge Village Administrative Officer, Urapakkam and Ayyanchery Village u/s 468 r/w 109, 471, 420, 409 of IPC and 13 (2) r/w 13 (1) (c) of PC Act 1988 and against A5 Tr.Kamalakannan u/s 468, 471, 420, 409 r/w 109 of IPC and 13(2) r/w 13(1) (c) of PC Act is registered on 09.08.2018 at 13.00 hrs.

The original FIR is submitted to the Hon'ble Chief Judicial Magistrate cum Special Judge for cases under the Prevention of Corruption Act 1988, Chengalpattu and other copies were submitted to officers concerned.

bi 9/8/18
DEPUTY SUPERINTENDENT OF POLICE
CHENNAI CITY III
VIGILANCE AND ANTI CORRUPTION
CHENNAI.