

FIRST INFORMATION REPORT

முதல் தகவல் அறிக்கை

(Under Section 154 Cr.P.C.)

(கு.வி.தொ.பிரிவு 154 இன் கீழ்)

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-I

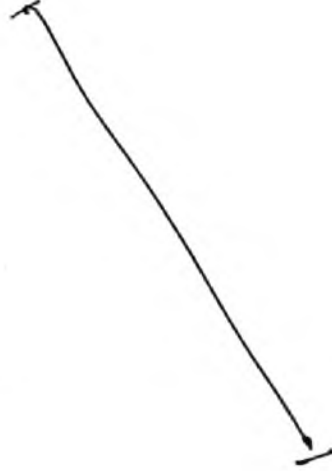
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- District : **TRICHY** PS: **V S A C** Year: **2021** FIR No.: **5/2021** Date: **6.10.2021**
மாவட்டம் காவல்துறையம் **TRICHY** ஆண்டு முத.அ. எண் நாள்
- (i) Act சட்டம்: **Prevention of Corruption Act 1988 (as amended in 2018)** Sections பிரிவுகள்: **13(2) ரீய 13(1)(c) 513(1)(ii)**
(ii) Act சட்டம்: **Indian Penal code** Sections பிரிவுகள்: **420 IPC ரீய 120(B) IPC**
(iii) Act சட்டம்: Sections பிரிவுகள்: **420 IPC ரீய 109 IPC**
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
- (a) Occurrence of Offence Day : Date from : **2009** Date to : **2009**
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை
Time Period : Time from : Time to :
நேர அளவு நேரம் முதல் நேரம் வரை
(b) Information Received at PS. Date : Time :
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம்
(c) General Diary Reference : Entry No(s) Time :
பொது நாட்குறிப்பில் பதிவு விவரம் எண் நேரம்
- Type of Information : Written/ Oral :
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக
- Place of Occurrence (a) Direction and Distance from PS: **3 kms Northwest**
குற்ற நிகழ்விடம் (அ) காவல்துறையத்திலிருந்து 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
- Complainant /Informant (a) Name : **G. Sankarivel** (b) Father's/ Husband's Name : **T. Gnanasekaran**
குற்றமுறையிட்டாளர்/ தகவல் தந்தவர் பெயர் தந்தை / கணவர் பெயர்
(c) Date / Year of Birth : **28.02.1978** (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 : **Inspector of Police** (g) Address : **Vigilance and Anti Corruption, Trichy**
தொழில் முகவரி
- Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தான் இணைக்கவும்)
Separate Sheet **Annexure - A Enclosed**
- Reasons for delay in reporting by the complainant / Informant:
குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்
After accord the permission by the Transport Department, Secretariat, Chennai-9

9. Particulars of properties stolen / involved (Attach separate sheet if necessary)
கனவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம் (தேவையெனில் தனித் தாளில் இணைக்கவும்)
10. Total value of properties stolen / involved :
கனவாடப்பட்ட / 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)

SEPARATE SHEET ENCLOSED (Annexure-13)



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.....on point of jurisdiction.

எடுக்கப்பட்ட நடவடிக்கை : மேலே குற்ற முறையிட்டில் 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.

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

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

G. Jeyarej
6.10.2021
Signature of the Officer in-charge, Police Station
காவல் நிலைய பொறுப்பு அலுவலரின் ஒப்பம்
Inspector of Police
Name: பெயர் V S AC
Rank: நிலை No. எண்
101010

15. Date & Time of despatch to the court: 06.10.2021
நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாளும், நேரமும் / 502415,

Trichy V&AC Cr.No.05/2021 First Information Report Continues Column No.7 Annexure - A

1. Tr.G.Raju, Age 58/2021, formerly Special Grade Assistant (Persl.) now Superintendent, Account Section, TNSTC, Trichy Region.
2. Tr.K.Boopathy, Age 68/2021, Formerly Superintendent (personal), TNSTC, Trichy Region. **Address:-** No.45/10, 1st Floor, Premier Flats, Karur Bye pass Road, Trichy.
3. Tr.M.Selvaraj, Age 62/2021, Formerly Deputy Manager (P&A), TNSTC, Trichy Region. **Address:-** No. A 71, 2nd Cross, Dheeran Nagar, Trichy-620009.
4. Tr.P.Mohammed Salem, Age 64/2021, Formerly General Manager, TNSTC, Trichy Region. **Address:-** No.25, 1st Floor, Sai Nagar, First Main Road, Virukambakkam, Chennai-600092.
5. Tr.S.Naganathan, Age 69/2021, Formerly Senior Superintendent (HRD) Corporate, Kumbakonam Ltd., Kumbakonam. **Address:-** No.3/33, Cholan Street, Krikalacholan Nagar, Sundara Perumal Kovil, Kumbakonam.
6. Tr.R.Chandrababu, Age 66/2021, Formerly SGAM (MIS), Corporate, Kumbakonam Ltd., Kumbakonam. **Address:-** No.19, Lourdu Nagar, Muthiyal Pet, Puducherry-605003.
7. Tr.G.Swaminathan, Age 65/2021, Formerly Special officer, Corporate, Kumbakonam Ltd., Kumbakonam. **Address:-** No.7/24L, Malligai Veethi, Nehru Nagar, Mela Amma Chatharam, Thirubuvanam, Kumbakonam-103.
8. Tr.T.Rengaraj, Age 64/2021, Formerly Managing Director Corporate, Kumbakonam Ltd., Kumbakonam. **Address:-** No.3/283, Serveyar Colony, 2nd Street, K.Puthur, Madurai-625007.
9. Tr.S.Chandrasekaran, Age 64/2021, Formerly General Manager, TNSTC, Trichy Region. **Address:-** No.1/52-1, 4th Cross, Thiruvalluvar Nagar, Dr.Moorthy Road, Kumbakonam-621001.
- 10.Tr.Veerapandian, Age 63/2021, Formerly Deputy Manager (Tech), TNSTC, Trichy Region.
- 11.Tr.S.Raja Mohan, Age 64/2021, Formerly General Manager (Tech), Corporate, Kumbakonam Ltd., Kumbakonam. **Address:-** No.27/796, 30th Street, Shanthi Nagar, Palayamkottai, Thirunelveli-627002.

Trichy V&AC Cr.No.05/2021 First Information Report Continues Column.

No.12

Submitted to the Court of the Hon'ble special Judge for the PC Act-1988 Cases, Tiruchirappalli

As per the instructions issued in the Government letter in No.6800/D1/2020-7, Dated 8.7.2021 of Transport (D1) Departmental, Secretariat, Chennai-9 and DVAC memorandum Dated.27.09.2021. I was instructed to register a case, for which I have scrutinized the content of the letter connected with the file and the allegation furnished in the letter as follows:

Transport (C2) Department's Enquiry report on the appointment of 9 Junior Engineers in Tamil Nadu State Transport Corporation (Kumbakonam) Limited in 2009 as follows.

Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Trichy Region had notified to fill up Junior Engineer (Trainee) vacancies through Employment Exchange Karur, Trichy and Perambalur on 11.06.2009 as detailed below:

Sl. No.	Name of District Employment Office	Vacancies notified	Community
1	Karur	2	SC-Non Priority -1, MBC- Non Priority - 1
2	Trichy	10	SC-Priority -1 Non Priority -1 BC (other than Muslim) Priority -1 Non Priority -2 MBC Priority -1 Non Priority -1 OC- Non Priority - 3
3	Perambalur	3	SC-Non Priority -1 BC (other than Muslim Non Priority -1 Muslim Priority -1

2. Accordingly a list was received from the District Employment Office, Karur vide letter date on 22.06.2009 with the following 10 candidates.

Sl.No.	Name of the candidate	Community
1	A.Muthusamy	Scheduled Caste
2	P.Sukumar	Scheduled Caste
3	S.Mathialagan	Scheduled Caste

4	S.Chinnaraj	Scheduled Caste
5	S.Pandian	Scheduled Caste
6	J.Kannan	Most Backward class
7	V.Greankumar	Most Backward class
8	M.Thamrai Selvam	Most Backward class
9	R.Murugganantham	Most Backward class
10	T.Siva	Most Backward class

3. Subsequently a list of 41 persons from the Employment Exchange, Trichy and 10 persons from the Employment Exchange Perambalur were received on 14.07.2009 and were returned to the concerned Employment Exchange on 10.12.2009 without consideration.

DETAILS OF CANDIDATE RECEIVED FROM DISTRICT EMPLOYMENT OFFICE, TRICHY AND RETURNED WITHOUT CONSIDERATION:-

Sl.No.	Name of the candidate	Community
1	P.Anandan	Scheduled Caste
2	A.Senthilkumar	Scheduled Caste
3	Y.Thiyagarajan	Scheduled Caste
4	E.Selvamuthukumaran	Scheduled Caste
5	K.Kuppusamy	Scheduled Caste
6	M.Sureshkumar	Scheduled Caste
7	N.Mohan	Scheduled Caste
8	P.Rajendran	Scheduled Caste
9	K.Venkatesan	M.B.C DEN. TRIBE
10	K.Subramanian	M.B.C DEN. TRIBE
11	R.Ganesan	M.B.C DEN. TRIBE
12	P.Rajendran	M.B.C DEN. TRIBE
13	P.Sundaraaraju	M.B.C DEN. TRIBE
14	C.Balamurugan	M.B.C De-notified
15	D.Ananth	Backward Class
16	S.Saravanaprakash	Backward Class
17	P.Suresh	Backward Class
18	K.Kumar	Backward Class
19	P.Navaneethakrishnan	Backward Class
20	A.Muruganathan	Backward Class
21	A.Charles	Backward Class
22	A.Albert	Backward Class
23	T.Balasubramanian	Backward Class

24	K.Pitchaimani	Backward Class
25	K.Manikandan	Backward Class
26	G.Kalaiyaarasan	Backward Class
27	R.Rangaraj Madhavan	Scheduled Caste
28	A.Prabakaran	Scheduled Caste
29	N.Balasubramanian	Scheduled Caste
30	E.Kathiresan	Scheduled Caste
31	P.Stalin	Scheduled Caste
32	S.Selvaraju	Scheduled Caste
33	R.Rajasekar	Scheduled Caste
34	R.Pichairethinam	Scheduled Caste
35	S.Paramasivam	Scheduled Caste
36	G.Sureshkumar	Scheduled Caste
37	C.Vijayakumar	Scheduled Caste
38	R.Jayakumar	Scheduled Caste
39	V.Ravi	Scheduled Caste
40	A.Ramkumar	Scheduled Caste
41	P.Dhanapalan	Scheduled Caste

**DETAILS OF CANDIDATE RECEIVED FROM DISTRICT EMPLOYMENT OFFICE.
PERAMBALUR AND RETURNED WITHOUT CONSIDERATION:-**

Sl.No.	Name of the candidate	Community
1	C.Muruganandan	Scheduled Caste
2	M.Ilamurugu	Scheduled Caste
3	D.Jayabal	Scheduled Caste
4	C.Sasikumar	Scheduled Caste
5	S.Palanimuthu	Scheduled Caste
6	Y.T.Anbuselvan	Backward Class
7	K.Boobalan	Backward Class
8	A.Karunkaran	Backward Class
9	S.R.Senthilkumar	Backward Class
10	K.Shanmugam	Backward Class

4. While receiving a list from an Employment Exchange for appointment, the following instructions issued by the Employment Exchange should have been considered:-

- i) Candidates nominated by the Employment Exchange should be called for interview (G.O. (Ms) No.199, dated 30.07.81) and the fact of appointment should be intimated (G.O. Ms.No.21, dated 23.03.1983).

- ii) Whenever candidates are appointed from the Employment Exchange, their identity cards must be collected from them with their signature on it and returned to the Employment Exchange concerned along with the result of selection.
- iii) Certified duplicate copy of list to be returned to Employment Office and to ascertain whether the communal reservation has been duly observed in making the appointment.
- iv) Result of selection should be intimated within 15 days (G.O.Ms.No.1, dated 31.07.1977).
- v) Whenever appointed candidates are ousted from service, they may be advised to report to the employment office for re-registration with the ousting order within 90 days from the date of ousting.
- vi) Appointing authorities should issue service certificates / ousting order within 7 days from the date of ousting (G.O.Ms.No.600, dated 22.03.1980) so that the candidates may have sufficient time to register their names in Employment Exchange.
- vii) Interview letters should be sent to candidates atleast 10 days before the date of interview (G.O.Ms.No.40, dated 14.03.1984).
- viii) The list is valid only for 6 months from the date of drawl.
- ix) The candidates have been sponsored against the actual number of vacancies should be notified. If the corporation desires to recruit more number of candidates then the actual number of vacancies notified, those candidates should not be selected for the additional vacancies and to send the separate notification duly indicating communal reservation details and obtain fresh list from Employment Exchange to fill up such additional vacancies.
- x) The list is valid for filing up only the vacancies notified and if more number of vacancies occur they should be re-notified to Employment Exchange to sponsor more number of candidates as per ratio prescribed. Candidates sponsored should be appointed only for the

category of vacancy notified and should not be considered for other vacancies even if such candidates are eligible for such vacancies.

5. The management had conducted interview from the list received from the Employment Exchange, Karur on 09.07.2009. From among them, one candidate was absent and the following other 9 candidates have attended the interview and they had been selected by the interview Committee against the proposed 2 vacancies.

MEMBERS OF INTERVIEW COMMITTEE

Sl.No.	Name (Tvl) & Designation	Date of Retirement
1	S.Chandrasekaran, General Manager, Trichy Region.	31.05.2015
2	M.Selvaraj, Deputy Manager (P&A), Trichy Region.	30.11.2016
3	S.Rajamohan, General Manager, (Technical), corporate.	31.05.2015

Details of Personnel in Establishment Section during 2009

Sl.No.	Name (Tvl) & Designation	Date of Retirement
1	T.Rengaraj, MD	31.01.2015
2	SDM (HRD) - Not signed	
3	S.Chandrasekaran, GM	31.05.2015
4	P.Mohammed Saleem, GM, Trichy Region.	30.04.2015
5	Swamynathan, Special Officer	28.02.2014

6	Chandrababu, SGAM (MIS), Corporate	31.05.2013
7	T.Veerapandian, DM (Tech), Trichy Region.	29.02.2016
8	M.Selvaraj, DM (P&A), Trichy Region.	30.11.2016
9	K.Boopathy, Superintendent, Trichy Region.	30.04.2011
10	G.Raju, Assistant, Personal Section, Trichy Region.	Now working as Superintendent in Trichy Region.

6. Pursuant to the selection made in the interview by the interview committee whose members are mentioned above, appointment orders were issued in two spells as detailed below vide reference No.TNSTC/Try/PS-P1/1633/2009, dated 18.09.2009 and 11.03.2009 by the General Manager, Trichy Region.

Name and other details of candidates selected by the interview committee

Sl.No.	Name (Tvl)	Date of Appointment orders	Community	marks secured
1	A.Muthusamy	18.09.2009	SC	71
2	P.Sukumar	18.09.2009	SC	74
3	S.Chinnaraj	18.09.2009	SC	69
4	S.Mathiyalagan	18.09.2009	SC	66
5	M.Thamrai Selvam	13.11.2009	MBC	60
6	J.Kannan	13.11.2009	MBC	52
7	V.Greankumar	13.11.2009	MBC	54
8	R.Muruganantham	13.11.2009	MBC	57
9	T.Siva	13.11.2009	MBC	63

7. (i) Thiru. M.P.Raja Suresh, S/o.Ponnuthurai Nadar who was not sponsored by the above 3 Employment Exchange, had filed a Writ Petition in WP (MD) 8798/2009 before the Madurai Bench of Madras High Court praying to quash the

proceedings Ka EA1/9696/2009 dated 28.07.2009 and to sponsor his name for the post of JE Trainee/Technical Asst and also prayed the Hon'ble High Court to reserve one JE post vacant in the respondent office till the disposal of the above writ petition.

(ii) The following persons impleaded as respondent in the case.

**NAME AND OTHER DETAILS OF CANDIDATES SELECTED BY THE
INTERVIEW COMMITTEE**

Sl.No.	Name (Tvl)	Respondent
1	A.Muthusamy	10th Respondent
2	P.Sukumar	Not impleaded in W.P
3	S.Chinnaraj	Not impleaded in W.P
4	S.Mathiyalagan	8th Respondent
5	M.Thamrai Selvam	4th Respondent
6	J.Kannan	5th Respondent
7	V.Greankumar	6th Respondent
8	R.Muruganatham	7th Respondent
9	T.Siva	9th Respondent

8. The above Writ Petition came up for hearing on 20.08.2010 and the Hon'ble High Court allowed the Writ Petition & quashed the proceedings date 28.07.2009 and directed the Employment Exchange, Trichy to consider the case of the petitioner for the post of Junior Engineer Trainee / Technical Assistant by giving the benefit of relaxation of upper age limit.

9. As per the direction of the High Court, the Employment Exchange has sponsored the petitioner's name for the post of Junior Engineer Trainee on 07.01.2011. But the sponsor list was returned by the Transport Corporation vide letter dated 01.02.2011 since no appointment was made at that time and the fact has been informed to the petitioner that his case will be considered in future subject to eligibility, it his name is sponsored again.

10. The individual has again filed a Writ Petition in WP (MD) 14365/2011 before the Madurai Bench of Madras High Court directing the respondent to declare the appointment of respondents 4th to 11th as Junior Engineer Mechanical in Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Kumbakonam as illegal and avoid and consequently direct the Tamil Nadu State Transport Corporation

(Kumbakonam) Limited, Kumbakonam to conduct interview for the candidates sponsored by the 2nd respondent office by giving equal opportunity and appoint him in the post of Junior Engineer Mechanical vide the order passed by this Hon'ble Court in WP. No.8798/2009 dated 20.08.2010 and he has impleaded the District Employment Officer and other 8 as respondents.

11. The case came up for final hearing on 15.02.2018 for arguments. After arguments, orders have been reserved and pronounced on 07.03.2018 as follows :-

(i) The selection and appointment of the respondents 5 to 8 (J,Kannan & Others) to the post of Junior Engineer (Mechanical) are declared as null and void and accordingly, the second respondent (the MD, Tamil Nadu State Transport Corporation (Kumbakonam) is directed to issue appropriate relieving orders and relieve them from service forthwith.

(ii) **The principal Secretary to Government, Transport Department, Fort St. George, Chennai-9, is directed to conducted an enquiry into the illegalities committed in the process of selection conducted for appointment to the post of junior Engineer (Mechanical) in the Tamil Nadu State Transport Corporation Ltd., Trichy Division and initiate appropriate actions against all the officials concerned, including the retired employees.**

12. In the meantime, the 5th to 8th respondents (J.Kannan, V.Kiran kumar, R.Muruganantham and S.Mathiyazhagan) has filed a Writ Appeal in WA (MD) No 521/2018 against the High court order in the Writ petition (MD) No.14365/2011 when case came up for hearing on 27.03.2018, the High Court has issued the following order.

- (i) In the meantime, **the appellants, shall not be relieved**, if they are not already relieved or relinquished their appointment pursuant to the direction issued by the Writ court in para 45(i). It is made clear that this court has not granted any interim order **with regard to the direction contained in para 45(ii) and the Secretary Department of Transport is directed to proceed with the enquiry interms of the direction issued by the Writ court and submit the report to the court on 2.04.2018.**

13. On perusal of the records relating to the appointment of Junior Engineer in Tamil Nadu State Transport Corporation (Kumbakonam) Limited in 2009, it has been ascertained that a list of 10 candidates out of which the 5 candidates from Scheduled Caste and another 5 candidates from most backward class were received from District Employment Exchange, Karur. Which is notified for 2 Junior Engineer posts by TNSTC, Trichy Region, out of two posts one earmarked for Scheduled Caste and another one earmarked for most Backward Class. the Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Trichy Region had appointed all the 9 candidates those who have attended the interview to the post of Junior Engineer except 1 candidate who has attended the interview and thereby violated the Government orders / instructions as in force and not followed the communal reservation while making appointment. Out of the 9 candidates who attended interview, only Thiru.P.Sukumar - SC candidate has secured highest mark (74 marks) among the SC candidates and Thiru.T.Siva - MBC candidate has secured highest mark (63 marks) among the MBC candidates. Subsequently Thiru.T.Siva, MBC candidate was dismissed from service due to long absent wide TNSTC, Trichy Region General Manager reference TNSTC/KUM/Try/D1/2440/2011, dated 06.02.2013.

14. Hence, remaining 7 candidates were not appointed with relevant to notification of the TNSTC, Trichy Region and also as per communal rotation as notified by the General Manager, Trichy.

The following two candidates are dismissed and removed from service.

Sl.No	Name (Tvl)	Date of Appointment Orders	Remarks
1.	A.Muthusamy	18.09.2009	Removed from service on 18.01.2014 (vide Letter No.தஅபேக/திருச்சி பி-பி1/1633/2009, dated 03.01.2014).
2.	M.Thamaraiselvam	13.11.2009	Dismissed from service on 29.01.2013 (vide Letter No.தஅபே/கும்ப/திருச்சி/டி2/3898/2011, dated 29.01.2013).

15. Hence, the following candidates appointment orders may be cancelled

SL.No	Name (Tvl)	Date of Appointment Orders	Respondent	Remarks
1.	S.Chinnaraj, (SC)	18.09.2009	Not impleaded in W.P.	Presently working TNSTC (Salem) Ltd.
2.	S.Mathiyalagan, (SC)	18.09.2009	8 th Respondent	Presently working in TNSTC (KUM) Ltd. Karur Region.
3.	J.Kannan, (MBC)	13.11.2009	5 th Respondent	Presently working in TNSTC (KUM) Ltd. Karur Region.
4.	V.Grean Kumar (MBC)	13.11.2009	6 th Respondent	Presently working in TNSTC (KUM) Ltd. Karur Region.
5.	R.Muruganatham (MBC)	03.11.2009	7 th Respondent	Presently working in TNSTC (KUM) Ltd. Karur Region.

16. The respondents namely J.Kannan, V.Grean Kumar, R.Muruganatham and S.Mathiazhagan filed Writ Appeal in W.A.(MD) NO.521/2018 against the order in WP No.14365/2011 and the court passed an interim order on 27.03.2018 that the appellants shall not be relieved if they are not received or relinquished their appointments pursuant to the direction issued by the Writ Court in Para 45(j) (WP.NO.14365/2011). It is made clear that this court has not any interim order

issued with regard to the direction contained in para 45(ii) and the Secretary Department of Transport is directed to proceed with the enquiry in terms of the direction issued by the Writ Court and submit the report to the court on 24.04.2018.

17. Administrative approval was sanctioned by the TNSTC (Kum) Ltd., vide ref no. nil, dated 29.05.2009 to fill up 40 vacancies out of which 15 vacancies approved Trichy Region under direct recruitment through Employment Exchange. The following lapses were found out in the appointment file and the details are furnished below:-

After receipt of communication from the corporate office to fill up the post of 15 Junior Engineer (Trainee), note file has been initiated by the following staff/ Administrative supervisory/Deputy Manager to get approval of the General Manager of the Region and was submitted to the Managing Director for final approval to fill up the existing vacancies. In this regard the following 5 staffs/ Officers are responsible for the entire process from notification, forming interview committee, getting approval to fill up the existing vacancies by eligible candidates from the list submitted by the interview committee.

SL.NO	Name of the Officers	Designation	Date of Retirement	Remarks
1.	G.Raju	Spl Gr.Asst.(Persl.) Trichy Region.	-	Now he is working Supdt in Trichy region at account section.
2.	K.Boopathy	Supdt. (Persl.) Trichy Region.	30.04.2011	-
3.	M.Selvaraj	Deputy Manager (P&A), Trichy Region.	30.11.2016	Suspended on DVAC Case.
4.	S.Chandrasekaran	General Manager Trichy Region	31.05.2015	Permitted to retired without prejudice under DVAC Case.
5.	T.Rengaraj	Managing Director - Corporate	31.01.2015	Permitted to retired without prejudice under DVAC Case.

Lapses found out :

1. Communal Roaster not followed.
2. Over and above vacancies filled without any justification.
3. Sponsored list received from DEO, Trichy and Perambalur returned without conducting interview was not justified with valid reasons.
4. The above lapses are not recorded in the note file either by the Assistant / Supervisor or by the Deputy Manager (Personnel) / General Manager of the Region till the final approval.

Under these circumstances the then Managing Director, TNSTC (KUM) Ltd., has approved the proposal without any remarks to appoint Junior Engineer (Trainee) Post.

The details of staff who had signed in the file relating to return the candidate list which is received from the DEO, Trichy and Perambalur.

The following 8 staffs returned the sponsor list received from the District Employment Officers, Trichy and Perambalur without any remarks.

SL.NO	Name of the Officers	Designation	Date of Retirement	Remarks
1.	G.Raju	Spl Gr.Asst.(Persl) Trichy Region.	-	Now he is working Supdt. in Trichy region at account section.
2.	K.Boopathy	Supdt (Persl) Trichy Region.	30.04.2011	-
3.	M.Selvaraj	Deputy Manager (P&A), Trichy Region.	30.11.2016	Suspended on DVAC Case.
4.	P.Mohammed Salem	He joined as General Manager in Trichy Region on 21.10.2009	30.04.2015	Permitted to retired without prejudice under DVAC Case.
5.	S.Naganathan	Senior Supdt. (HRD) Corporate	30.06.2010	-
6.	R Chandrababu	SGAM (MIS) Corporate	31.05.2013	-

7.	G.Swaminathan	Special officer Corporate	28.02.2014	-
8.	T.Rengaraj	Managing Director - Corporate	31.01.2015	Permitted to retired without prejudice under DVAC Case.

Further the officer in serial no.5 & 6 signed in the note file on behalf of Corporate office since they look after the personnel section at corporate office at that office.

The officer in serial no.7 signed in the note file on behalf of corporate office since he was reverted back to parent corporation and posted as special officer as his superannuation falls on 28.02.2014.

The senior superintendent in s.no.5 signed in the note file on behalf of SDM (HRD), corporate without any endorsement for the list return to concern DEO office.

18.(i) In view of the above, while verifying the available material evidence it is found that the entire selection process from notification to return of the sponsor list to the concerned DEOs is unfair and cannot be justified. Hence, the following candidate's appointment was not in accordance with rules:

SL.No	Name (Tvl)	Date of Appointment Orders	Respondent	Remarks
1.	S.Chinnaraj, (SC)	18.09.2009	Not impleaded in W.P.	Presently working TNSTC (Salem) Ltd.
2.	S.Mathiyalagan, (SC)	18.09.2009	8 th Respondent	Presently working in TNSTC (KUM) Ltd. Karur Region.
3.	J.Kannan, (MBC)	13.11.2009	5 th Respondent	Presently working in TNSTC (KUM) Ltd. Karur Region.
4.	V.Grean Kumar (MBC)	13.11.2009	6 th Respondent	Presently working in TNSTC (KUM) Ltd. Karur Region.
5.	R.Muruganantham (MBC)	13.11.2009	7 th Respondent	Presently working in TNSTC (KUM) Ltd. Karur Region.

There is prima facie material that A-1 to A-11, with dishonest intentions entered into criminal conspiracy during the year 2009, in injudiciously awarding of appointments of Junior Engineer (Trainee) by violating the procedure established by law such as 1)Communal roaster not followed, 2)Over and above vacancies filled with any justification, 3)Sponsored list received from DEO, Trichy and Perambalur returned without conducting Interview was not justified with valid reasons, 4)The said lapses willfully are not recorded in the note file either by the Assistant/Supervisor or by the Deputy Manager(Personal)/General Manager of the Region till the final approval and thereby committed cheating and Criminal breach of trust, in respect of public money involving several Crores by obtaining pecuniary advantage from the ineligible persons who were shown undue favour in appointments of Junior Engineers and thereby committed offences punishable under sections 420 IPC r/w 120(B) IPC, 420 IPC r/w 409 IPC, section 13(2) r/w 13(1)(c) & 13(1)(d)(iii) of Prevention of Corruption Act 1988.

Hence, this FIR is being registered after obtaining Permission of the competent authority. This day 06.10.2021 at 13.00 hrs., I am registering a case in Trichy V&AC Cr.No.05/2021 u/s 420 IPC r/w 120(B) IPC, 420 IPC r/w 409 IPC, section 13(2) r/w 13(1)(c) & 13(1)(d)(iii) of Prevention of Corruption Act 1988 against the marginally noted accused and taken up investigation This original FIR is submitted to the court of the Hon'ble Special Judge under the PC Act-1988 cases Trichy and the copies are sent to the Officers concerned.



G. Jeyaraj
6.10.2021
INSPECTOR OF POLICE
VIGILANCE AND ANTI-CORRUPTION
TRICHYRAPPALLY