

FIRST INFORMATION REPORT

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

TAMIL NADU POLICE
INTEGRATED INVESTIGATION FORM-I

8051827

03/01/2022/CC-II

1. District : CHENNAI CITY RANGE
மாவட்டம் : RANGE
PS: CSU -III
காவல்நிலையம் : CSU -III
Year: 2022
ஆண்டு : 2022
FIR No.:
மு.த.அ. எண் :
Date:
நாள் : 23.01.2022
2. (i) Act சட்டம்: THE PREVENTION OF
(ii) Act சட்டம்: CORRUPTION ACT, 1988
(iii) Act சட்டம்:
(iv) Other Acts & Sections பிற சட்டங்களும், பிரிவுகளும் :
- Sections பிரிவுகள்: 13(2) & 14
Sections பிரிவுகள்: 13(1) (c) & (d)
Sections பிரிவுகள்:
3. (a) Occurrence of Offence Day :
குற்ற நிகழ்வு நாள் :
Time Period :
நேர அளவு :
(b) Information Received at PS. Date :
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் :
(c) General Diary Reference : Entry No(s)
பொது நாட்குறிப்பில் பதிவு விவரம் எண் :
- Date from : 2002
நாள் முதல் : 2017
Date to : 2004 and
நாள் வரை : 2020
Time from :
நேரம் முதல் :
Time to :
நேரம் வரை :
Time : 23.01.2022
நேரம் :
Time :
நேரம் :
4. Type of Information : Written/ Oral :
தகவலின் வகை : எழுத்து மூலம் / வாய் மொழியாக :
5. Place of Occurrence (a) Direction and Distance from PS:
குற்ற நிகழ்விடம் (அ) காவல்நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் :
Beat Number :
முறைக் காவல் எண் :
(b) Address :
முகவரி :
the then Avadi Municipality / Avadi
Municipal Corporation
22 km N.E

(c) In case outside limit of this Police Station, then the Name of P.S :
இக்காவல் நிலைய எல்லைக்கப்பால் நடந்து இருக்குமாயின், அந்நிலையத்தில் அந்த கா.நி.பெயர் மாவட்டம் :
District :

6. Complainant /Informant (a) Name : Chin Ram. R
குற்றமுறையிட்டாளர் / தகவல் தந்தவர் பெயர் :
(b) Father's/ Husband's Name : S. Rathinam
தந்தை / கணவர் பெயர் :
(c) Date / Year of Birth :
நாள் / பிறந்த ஆண்டு :
(d) Nationality : Indian
நாட்டினம் :
(e) Passport No. :
வெளிநாட்டு கடவுச்சீட்டு எண் :
Date of Issue :
வழங்கப்பட்ட நாள் :
Place of Issue :
வழங்கப்பட்ட இடம் :
(f) Occupation : ADSP
தொழில் :
(g) Address :
முகவரி :
Vigilance And Anti-Corruption,
City Special Unit - III, Alandur, Chennai-16

7. Details of Known/Suspected/Unknown accused with full particulars. (Attach separate sheet if necessary)
தெரிந்த / ஐயப்பட்டிருந்த / தெரியாத குற்றஞ்சாட்டப்பட்டவரின் முழுமையான விவரங்கள்
(தேவையெனில் தனித்தாள் இணைக்கவும்)

1. Tmt. R. Subbuthi, Town Planning
Officer, Avadi Municipal Corporation.
2. T. Balasubramanian (Retd) Formerly
Municipal Engineer (I), Avadi Municipality
3. Tr. V. Kamuthurai,
Formerly Town Planning Inspector
(under suspension)
Avadi Municipal Corporation.
4. Tr. K. Krishna Moorthy
Formerly Commissioner
(Retd)
Avadi Municipal Corporation.

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)

— Separate Sheet attached —

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 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.

மு.த.அ. 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 23/2/2

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

Name: பெயர் Chin Rom. R
Rank: நிலை No. எண்
Addl. Superintendent of Police,
U & AC, CSU-III
Chennai - 16

Serial No.12 of the F.I.R. contents in City Special Unit-III, V&AC Cr.No.03/AC/2022/CC-II, dated:23.02.2022, U/s.13(2) r/w 13(1) (c) &(d) of Prevention of Corruption Act, 1988, continues.....

<p>1.Tmt.R.Subbuthai, W/o.Rajendran, formerly Town Planning Officer, Avadi City Municipal Corporation, Chennai. Group "B" D.O.B: 25.05.1966 D.O.R: 31.05.2026</p> <p>2.Tr.BalaSubramanian(Retd) Formerly Municipal Engineer I/C Municipal Commissioner, Avadi Municipality. Group "A" D.O.B: N/ A D.O.R: N/ A</p> <p>3.Tr.V.Kamuthurai, S/o.Vellaichamy, formerly Town Planning Inspector, (Now under suspension), Avadi City Municipal Corporation. Group "C" D.O.B: 17.05.1968 D.O.R: 31.05.2028</p> <p>4.Tr.K.KrishnaMoorthy, Formerly Commissioner, Avadi Municipal Corporation (Retd) Group "A" D.O.B: 10.04.1962 D.O.R: 30.04.2022</p>	<p>I am serving as Additional Superintendent of Police, City Special Unit-III, Vigilance & Anti-Corruption, Chennai-16. In accordance with Letter No. 13817/ME.4/2021. Dated 01.12.2021, I register a regular case against the marginally noted accused.</p> <p>During the course of collection of Vigilance intelligence by DVAC against the marginally noted accused A-1 Tmt.R.Subbuthai, W/o.Rajendran, formerly Town Planning Officer, Avadi Municipal Corporation, Chennai, now serving as Assistant Executive Engineer, Madurai Corporation, A-2 Tr.Balasubramanian,Municipal Engineer (Retd), i/c.Municipal Commissioner, Avadi Municipal Corporation, A-3 Tr.V.Kamuthurai, Town Planning Inspector, (Now under suspension), Avadi Municipal Corporation and A-4 Tr.K.Krishnamoorthy, Commissioner (Retd), Avadi Municipal Corporation, while discharging their duties at Avadi Municipal Corporation during the period from 2002 to 2004 and 2017 to 2020, with intention to favour the private individuals, had violated the procedures to obtain pecuniary advantage and caused financial loss to the Municipal Corporation fund.</p>
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A-1 Tmt.Subbuthai, formerly worked as Town Planning Officer, Avadi Municipal Corporation and presently working as Assistant Executive Engineer, Madurai Corporation, served from 12.06.2002-10.09.2004 and 05.10.2017 to 08.05.2020 relevant to these allegations, A-2 Tr.Balasubramanian, Municipal Engineer (Retd), i/c.Municipal Commissioner, Avadi Municipal Corporation, served during the period from 01.01.2004 to 15.05.2004, A-3 Tr.V.Kamuthurai worked as Town Planning Inspector, Avadi Municipal Corporation, served during the period from 19.03.2019 to 07.02.2020 (now under suspension) and A-4 Tr.K.Krishnamoorthy, Commissioner (Retd), Avadi Municipal Corporation, served from 13.07.2019 to 05.11.2019.

Tmt.R.Subbuthai, formerly Town Planning Officer in her 1st stint, A-2 Tr.Balasubramanian, Municipal Engineer (Retd), i/c.Municipal Commissioner, Avadi Municipal Corporation, while discharging their duties at Avadi Municipality during the period from 2002 to 2004, had violated the procedures and sanctioned approval for regularization of land in Survey No.289/2, 292/2 part, 291/2 part, 291/3, 291/5, 291/6, 291/7, 291/8, 291/9 and 290/4 having an extent of 99106 Sq.ft in Thirumullaivoyal for the applicant namely Tr.B.Jeyaraman, No.5, O.P.Raman Street, Kamaraj Nagar, Avadi on his application dated:08.07.2002 for regularization of Land Survey No.282/3 (only applied) and thus caused loss to the tune of Rs.12,00,000/- (approximately twelve lakhs) to the Municipal funds.

This wrongful loss was incurred by violating the following procedures during the period 2002 to 2004:

1. The land to an extent of 2.26 Acres had been regularized as Single plot according to recommendation of A-1, vide Note file No.1801/2002/F2, dt:16.02.2004 for S.Nos. 291/2, 291/3, 291/5, 291/6, 291/7, 291/8, 290/4 which was irregular, since the application dt:08.07.2002 for regularization of

S.No.282/3 (only applied). Moreover, the power of granting the planning Permission for the above said Survey Nos. are vested with the Member Secretary, CMDA. Against the procedure that the Municipal Commissioner only has the power of granting permit / approval for subdivision of the land to an extent of 1000 Sq.mt /24 cents into 8 plots. Only individual plot shall be considered for regularization.

2. Late Vinayagam, formerly Town Planning Inspector, Avadi Municipal Corporation, one day earlier (15.02.2004) before making the payment of charges to the claim, had made remarks on the note of Town planning Inspector dated: 16.02.2004, against the procedure. The procedure is that, after the remittance of required fees by the Applicant, the land should be regularized. The Applicant remitted the Development Charges only on 16.02.2004 and Building Application Fees and Vacant land tax on 17.02.2004 through Challans. Application for regularization of land in S.No.282/3 (to an extent of 1.54 Acres) of Tr.Jeya Raman had received in Avadi Municipality on 08.07.2002. Late Vinayagam should have inspected the site, with the orders of A-1 and A-2 and should have submitted the note. But, late Vinayagam dealt with the application after 19 months on 16.02.2004, without following due procedures, without the orders of A-1 Tmt.R.Subbuthai and A-2 Tr.Balasubramanian without citing the date of inspection, the extent of land and submitted a note on 16.02.2004 to A-1.

3. The Regularization charges should have been collected through DD from the applicant to Avadi Municipal Corporation by the applicant and the Municipal Corporation will in turn send the same to CMDA for necessary action. A-1, A-2, A-3 and A-4 had failed to collect those charges and send to CMDA thus caused a wrongful loss.

4. It is known that, 10% of total extent of land should be handed over through OSR Gift deed or charges equivalent to the value of the 10% of extent of the land should be remitted by the applicant to the competent authority prior to sanction of approval for regularization. Neither the 10% of the land of total extent nor the charges was collected by A-1 to A-4.

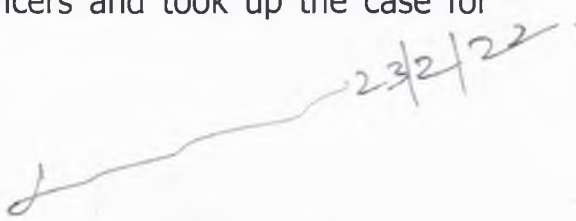
5. A1 in her 2nd stint, during the period from 2017 to 2020, further irregularities were committed by A-1 Tmt.R.Subbuthai, formerly Town Planning Officer served from 05.10.2017 to 08.05.2020, A-3 Tr.V.Kamuthurai, formerly Town Planning Inspector (Now under Suspension) served during the period from 19.03.2019 to 07.02.2020 and A-4 Tr.Krishnamoorthy, Municipal Commissioner (Retd.), Avadi Municipal Corporation served during the period from 13.07.2019 to 05.11.2019, while discharging their duties in the Avadi Municipal Corporation during the year, 2019, had violated the procedures with intention to cheat the Municipality had favored the private individuals and obtained pecuniary gain for themselves.

6. A-1, A-3 and A-4 had violated the procedures and granted the approval for residential plots, for the land situated at T.S.No 90/2, 91/2, 92, 93, 95, 96 and 99 of Sekkadu Village to an extent of 13031 Sq.Meter and favored the applicant namely Tr.K.Ravichandran and GPA, 4B /413, 1st Floor, Redhills Road, Puthur, Ambattur thus had obtained pecuniary gain for themselves. This violation is observed when A-3 submitted the file without the estimate / demand advice of Technical Branch (Asst Engineer and Municipal Engineer) to A-1 and A-1 in-turn put up the file to A-4, with recommendation to grant the approval for residential plots for the above said land. There was no proof of collection of the charges of Basic Amenities like installation of street light / drainage, road formation, certain charges levied on the applicant which was not charged and thus caused financial loss to the CMDA/Municipal Corporation. AO-1, AO-3 and AO-4 in collusion with each other have granted

approval for the above said plots without following the procedures that they should inspect the site and should prepare the estimate for basic Road formation, Street light, drainage, Water Supply, infrastructure and the charges concerned should be levied on the applicant by the Municipality (or) the above should be carried out by the owners of the land and should have been inspected by the Engineering section and given NOC. Thus AO-1, AO-3 and AO-4 by corrupt and illegal means, abusing their official position have granted approval and caused revenue loss to the Government.

7. As per the above facts, a prima-facie case is clearly made out that A1 to A-4 had committed irregularities by violating the procedures and thereby favored private individuals and caused loss to the Municipal fund /CMDA to obtain pecuniary advantage for themselves. All the marginally noted accused officers are public servants u/s 2(c) (i) of Prevention of Corruption Act, 1988.

Hence a case is registered today 23.02.2022 in City Special Unit –III in Crime No.03/AC/2022/CC-II, u/s 13(2) r/w 13(1) (c)&(d) of Prevention of Corruption Act, 1988 against A-1 Tmt.R.Subbuthai, formerly Town Planning Officer A-2Tr.Balasubramanian,Municipal Engineer(Retd.), A-3 Tr.V.Kamuthurai, Town Planning Inspector, (Now under suspension), A-4 Tr.K.Krishnamoorthy, Commissioner (Retd.), Avadi Municipal Corporation. The original FIR is submitted to the Hon'ble Court of the Chief Judicial Magistrate, Thiruvallur. The copies sent to respective officers and took up the case for investigation.


Additional Superintendent of Police,
Vigilance & Anti-Corruption,
City Special Unit – III,
Chennai - 16