

In Re: Reddy Venkayya

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SooperKanoon Citation : sooperkanoon.com/815790

Court : Chennai

Decided On : Aug-16-1912

Reported in : 17Ind.Cas.402

Judge : Ralph Benson, Offg., C.J. and ;Napier, J.

Appellant : In Re: Reddy Venkayya

Judgement :

1. The Public Prosecutor states that the accused is a Sub-Overseer of the Public Works Department and belongs to the class of lower Subordinates and under Rules 54, 293 (s) and 423 of the rules of the Public Works Department, 9th Edition, he can be appointed or removed by the Superintending Engineer without reference to the Local Government. This being so, the Deputy Magistrate was wrong in refusing to entertain the complaint for want of sanction, under Section 197 of the Code of Criminal Procedure.

2. We set aside his order and direct him to re-take the complaint on his file and deal with it according to law.