



Crl.O.P.(MD)No.5177 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5177 of 2023

M.Babjahan

...Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudhukottai District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Keeranur sub Division,
Pudhukottai District.

3.The Inspector of Police,
Keeranur Police Station,
Pudhukottai District.

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the Respondent No.1 to 2 to transfer the investigation relating to the petitioner's complaint dated 20.04.2022 from the Respondent No.3 to anyone of the Inspector of Police for complete the investigation in accordance with law within the time stipulated by this Court.



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For Petitioner : Mr.Prakash.R

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking ordersto direct the Respondent No.1 to 2 to transfer the investigation relating to the petitioner's complaint dated 20.04.2022 from the Respondent No.3 to anyone of the Inspector of Police for complete the investigation in accordance with law within the time stipulated by this Court.

2. Even though the prayer itself is not maintainable, on going through the records and submission made by either sides, it is seen that the property claims by the petitioner is the ancestral property, which is taken by the Government for use of the HRNC Department. Later compensation was not given, he continued to be in possession and put up shops along with others in the above said premises. Now the counter party is threatening the petitioner to give mamool.



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3. The third respondent office, who is present before this Court, would submit that he enquired the above said counter party, no such demand was made by the counter party and also finding that there is issue with regard to the title over the property, the above said enquiry was closed.

4. Even though the factual aspect cannot be gone into by this Court at this stage, the petitioner is at liberty to move a petition before the appropriate authority for appropriate remedy.

5. With the above said liberty, this petition is disposed of.

20.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Indu



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G.ILANGO VAN,J.

Indu

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudhukottai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Keeranur sub Division,
Pudhukottai District.
- 3.The Inspector of Police,
Keeranur Police Station,
Pudhukottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.5177 of 2023

Dated: 20.03.2023