

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.12.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.5149 of 2014

R.Shanmugam

... Petitioner

Vs

1.The Superintendent of Police,
Land Grabbing Cell,
Superintendent Office,
Erode.

2.The State rep. by
Inspector of Police,
Kadathur Police Station,
Kadathur, Erode.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondents to register the petitioner's complaint dated 20.02.2014 made to respondent immediately and to investigate the same in accordance with law.

For Petitioner : Mr.P.Lakshmi Kanthan
For Respondents : Mr.K.Prabakar, GA [Crl. Side]

ORDER

This petition has been filed to direct the respondents to register the petitioner's complaint dated 20.02.2014.

2. In this case, the incident is said to have been taken place in October 2013, in connection with which, a complaint is said to have been given on 20.02.2014 and this petition has been pending in this Court, since March 2014. Hence, this Court perused the case papers.

3. It is alleged by the petitioner that he is the owner of certain lands, in which, one Saravana Kumar and others trespassed on 21.10.2013 and attempted to take forcible possession, on the ground that the said land has been sold by Saravana Kumar to Kulandaivel. Even according to the petitioner, the incident has been taken place on 21.10.2013 and the complaint is said to have been given on 20.02.2014.

4. On the contrary, the learned Government Advocate [Crl. Side] produced his station records to show that, on the complaint given by Kulandaivel as against this petitioner, a petition enquiry was conducted in CSR.No.280 of 2013 in which, this petitioner has given a written undertaking that he is inadvertently cultivating the land and that he is agreeable to have the land measured by the Surveyor. In fact, even in the complaint dated 20.02.2014, the petitioner has spoken about the complaint in CSR.No.280 of 2013 dated 21.10.2013 given by Kulandaivel. Under such circumstances, the matter being essentially civil in nature, no positive direction can be issued and the petition stands dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Land Grabbing Cell,
Superintendent Office, Erode.
- 2.The Inspector of Police,
Kadathur Police Station,
Kadathur, Erode.
- 3.The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

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