

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.13745 of 2015

N.Ravikumar

..Petitioner

Vs

- The State rep. By
- 1.The Superintendent of Police,
Vellore District,
Vellore.
 - 2.The Deputy Superintendent of Police,
Tirupattur,
Vellore District.
 3. Mr.Govindaraj
The Sub Inspector of Police,
Yelagiri Hills Police Station,
Tirupattur Taluk,
Vellore District.
- ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents 1 and 2 to register the case against the third respondent and other accused take appropriate action as per law, on the basis of the petitioner's complaint dated 02.06.2015.

For Petitioner : Mr.I.Paul Noble Devakumar

For RR1 & 2 : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

This petition has been filed to direct the respondents 1 and 2 to register the case against the third respondent and other accused and to take appropriate action as per law, on the basis of the petitioner's complaint dated 02.06.2015.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3.On a reading of the complaint dated 02.06.2015, it is seen that, even according to the complainant, the opposite party is the owner of the land in Survey No.31/1C and that the opposite party fenced their land thereby inhibiting the free access of the petitioner and other villagers to the other side. It is not the case of the petitioner that the opposite party encroached into his land.

4.The dispute is essentially, with regard to the easementary right over the pathway which cannot be decided by the Police and it is only the civil Court competent to interfere with the same. Under such circumstances, this Criminal Original Petition is closed with liberty to the petitioner to work out his remedies in the manner known to law.

jbm

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Vellore District, Vellore.
- 2.The Deputy Superintendent of Police,
Tirupattur,
Vellore District.
- 3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.I.Paul Noble Devakumar, Advocate SR 43687

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