

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.12.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.5916 of 2014

R.Boopathy

... Petitioner

Vs.

1.The District Superintendent of Police,
Office of the District Police Department,
Salem.

2.The Inspector of Police,
Pallappatti Police Station,
Pallappatti,
Salem District.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the second respondent to register a case on the basis of the petitioner's complaint dated 03.09.2013 and to investigate the same.

For Petitioner : Mr.M.Vijaya Mehanath

For Respondent : Mr.K.Prabakar, GA [Crl. Side]
Nos.1 & 2

O R D E R

This petition has been filed to direct the second respondent to register a case on the basis of the petitioner's complaint dated 03.09.2013 and to investigate the same.

2.Since this case is pending on the file of this Court from March 2014, this Court perused the materials available on record thoroughly before passing the following order.

3.On reading of the complaint dated 03.09.2013, it is stated by the petitioner that he had purchased the property from one Sarojini in the year 2012, who had purchased it from one A.Ramaboyan. Ramakka, the wife of A.Ramaboyan said to have taken possession of the property from the petitioner and let the same for tenancy and collecting rents. Hence, the petitioner is requesting the police to get him possession of the property.

4.In the opinion of this Court, a direction to that effect cannot be granted for that amounts to abuse of power by the police. However, it is open to the petitioner to approach the Civil Court for remedy.

5.With the above observation, this Criminal Original Petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

DP

To

- 1.The District Superintendent of Police,
Office of the District Police Department,
Salem.
- 2.The Inspector of Police,
Pallappatti Police Station,
Pallappatti,
Salem District.

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