

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.09.2015

Coram:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.22474 of 2015

P.D.S.Madhavi

..Petitioner

Vs.

1. The Commissioner,
Chennai City, Vepery,
Chennai - 600 007

2. The Inspector of Police,
Virugambakkam Police Station,
Chennai

..Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the second respondent to register the complaint of the petitioner dated 23.12.2014 and investigate the same in accordance with law.

For Petitioner : Mr.R.Srinivasa Rao

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Petition has been filed to direct the second respondent to register the complaint of the petitioner dated 23.12.2014 and investigate the same in accordance with law.

2.Heard the learned counsel for the petitioner; learned Additional Public Prosecutor and perused the materials available on record.

3.On a reading of the complaint, it is seen that the petitioner and her tenant are having some problem in connection with which a suit in O.S.No.7081 of 2014 is pending. It is alleged by the petitioner that the tenant has filed the suit based on the Memorandum of Understanding dated 10.04.2014 in which the petitioner has not signed. Strangely the petitioner has filed a xerox copy of the Memorandum of Understanding along with typed set of papers.

4. In such circumstances, since the matter is seized by the Civil Court, no positive direction can be issued to the police to

register the FIR. It is always open to the petitioner to dispute the Memorandum of Understanding before the Civil Court. Hence this Criminal Original Petition is closed with liberty to the petitioner to work out her remedies in in the manner known to law.

ssd

s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner,
Chennai City, Vepery,
Chennai - 600 007

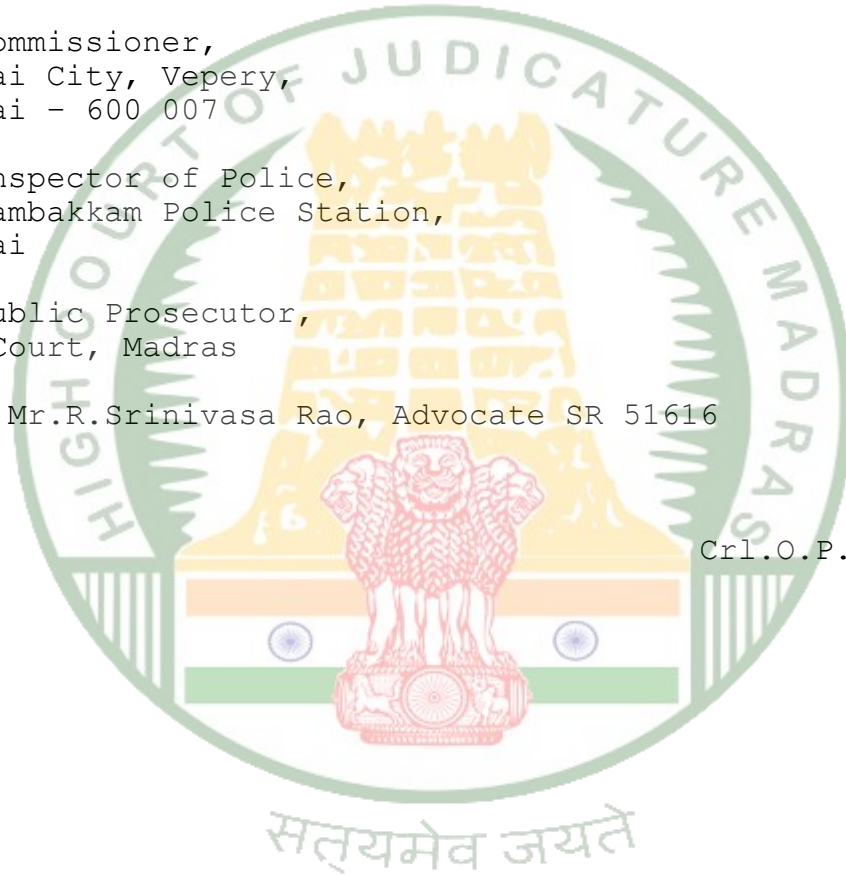
2. The Inspector of Police,
Virugambakkam Police Station,
Chennai

3. The Public Prosecutor,
High Court, Madras

+ 1 cc to Mr.R.Srinivasa Rao, Advocate SR 51616

ts(co)
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