

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Cr1.O.P.No.25761 of 2015

L.R.Srinivasan

... Petitioner

Vs.

State rep. by
The Inspector of Police,
D-3, Ice House Police Station,
Chennai.

... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent Police to register the case based on the petitioner's complaint dated 30.07.2015 and to investigate into the matter in accordance with law and to file a final report before the competent court of law.

For Petitioner : Mr.G.Pavendhan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition is filed for a direction to the respondent Police to register the case based on the petitioner's complaint dated 30.07.2015 and to investigate into the matter in accordance with law and to file a final report.

2.The petitioner herein has arranged his daughter's marriage at Sri Parthasarathy Temple, Triplicane and the marriage reception at Sri Raghavendra Kalyana Mandapam between 2.00 p.m. and 11.55 p.m. on 21.08.2015. The petitioner booked Sri Raghavendra Kalyana Mandapam on 17.05.2015 for the marriage reception between 2.00 p.m. and 11.55 p.m. on 21.08.2015. He has also paid the rent of Rs.65,000/- and Service Tax of Rs.8,034/- totaling an amount of Rs.73,034/-. The petitioner had also given the marriage invitation to the relatives and friends. Whiles, the Manager of the Mandapam called the petitioner over phone and told him that on the very same day the Mandapam was booked by another person. The petitioner reported this matter to the D-3, Ice House Police Station, Chennai. Though the complaint was received by the respondent police and

C.S.R.No.38 of 2015 has been assigned, no action was taken. Hence, this petition.

3.The learned Additional Public Prosecutor submitted that on the allegations of the complaint, no cognizable offence is made out and hence, opposed to grant direction.

4.I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

5.In view of the submissions made on either side, this Court is of the opinion that it is appropriate to direct the respondent to conduct enquiry on the complaint dated 30.07.2015 given by the petitioner and upon enquiry, if materials are gathered indicating commission of any cognizable offence, is directed to proceed further in accordance with law, as early as possible. On the other hand, if no cognizable offence is made out, the respondent is directed to dispose the complaint by passing an appropriate order.

6.With the above directions, the Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

1.The Inspector of Police,
D-3, Ice House Police Station,
Chennai.

2.The Public Prosecutor
High Court, Madras.

+1 cc to Mr.G.Pavendhan, Advocate, sr.60607

Crl.O.P.No.25761 of 2015

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