

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26149 of 2015

Padma

... Petitioner

Vs

1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District.

2. The Inspector of Police,
Gommudipoondi Police Station,
Thiruvallur District.

... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. seeking a direction to the respondents to register an
FIR based on the petitioner's complaint dated 10.09.2015.

For Petitioner : Mr.R.Sasikumar

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed
seeking a direction to the respondents to register the FIR based
on the petitioner's complaint dated 10.09.2015.

2. The petitioner would state that she had purchased the
land measuring about 5 cents in S.Nos.337/B1 and 337/B2 in the
year 2002 from one Lakshmikanthammal in Doc No.1651 of 2002.
From the date of purchase of the property, she is the absolute
owner of the property and she had built 2 shops in the property
and got EB connection in EB Connection Nos.093-004-759 and 093-

004-760. She has also paid the EB charges and tax for the property and she is in possession and enjoyment of the property. On 08.06.2015, due to heavy rain, the flooring of the shop was to be changed by the petitioner and whileso, one Vasu and one Vengatesan, who are no way connected with the petitioner's property trespassed the petitioner's property and threatened the petitioner's life claiming right over the property. The petitioner in fact had filed a civil suit before the District Munsif Court, Ponneri against the above said persons and the same is pending. In such a situation, the above said Vasu and Vengatesan along with rowdy elements totally damaged the petitioner's shops and stolen 2 Refrigerators, 2 AC, 2 Fans, 2 Invertors and other articles.

3. Hence, the petitioner lodged a complaint on 10.09.2015. Though the complaint has been assigned C.S.R.No.183 of 2015 till date no action has been taken. Hence, this petition.

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

5. The learned Additional Public Prosecutor submitted that on receipt of the complaint, C.S.R.No.183 of 2015 has been assigned and petition enquiry is pending.

6. In view of the submissions made on either side, this Court directs the second respondent to conduct enquiry on the complaint dated 10.09.2015 lodged 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.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

dn/pri

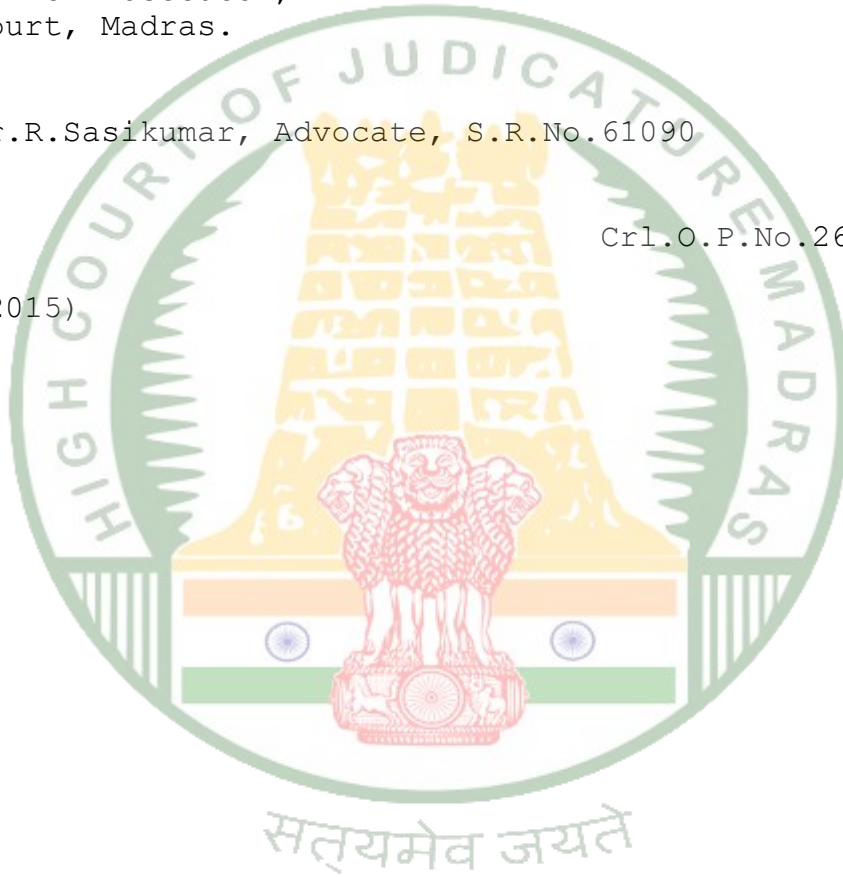
To

1. The Superintendent of Police,
Thiruvallur,
Thiruvallur District.
2. The Inspector of Police,
Gommudipoondi Police Station,
Thiruvallur District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Sasikumar, Advocate, S.R.No.61090

CrI.O.P.No.26149 of 2015

AR IV
CA(25/11/2015)



WEB COPY