

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26173 of 2015

Mr.Srichand K.Bajaj

... Petitioner

Vs

State rep by
The Inspector of Police,
F4-Thousand Lights Police Station,
Chennai.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent police to register FIR on the basis of the complaint dated 04.07.2015 given by the petitioner.

For Petitioner : Mr.M.Jaikumar
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking direction to the respondents to register the complaint given by the petitioner dated 04.07.2015 and to investigate the same in accordance with law.

2. In the petition, it has been stated that the petitioner is residing at No.162, Greams Court, Greams lane, Greams Road, Thousand Lights, Chennai and he is the builder and Proprietor of Bajaj Enterprises. He purchased a land to an extent of 4 grounds and 1919 sq.ft in No.162, Greams Lane, Thousand Lights, Chennai- 600 006 from one Hassan Kahallilian, Rubab Kompany and Hosein Khalilian through power agent Kasim Khalleli on 12.05.1981 through registered sale deed bearing No.1184 of 1981 and constructed building in the name of Greams Court by obtaining plan No.BA.636 of 1980 dated 22.08.1980. After constructing flats, the petitioner retained room in the Fifth

Floor to the extent of 150 sq.ft presently, wherein he is residing and also in possession of Garage to the extent of 250 sq.ft in the ground floor of the building, Car parking and remaining undivided share of land. In the said building, one flat situated at Ground floor was sold to one Kasim Khalili by retaining the garage to the extent of 250 sq. ft. The said Thaher Khalili, S/o.Kasim Khalili requested the petitioner to let out the above Garage to him for rent. Considering his request, he gave Garage for rent by oral agreement for monthly rent. But, he has not paid the monthly rent for many years, though he was in wealthy position. When the petitioner requested the said Thaher Khalili to return the Garage and pay the arrears, he did not pay the rent and he threatened the petitioner. In fact on 03.07.2015, the above said Thaher Khalili assaulted the petitioner with belt and pushed him. Hence, he lodged a complaint to the respondent police on 04.07.2015. But the same was not registered so far. Hence, the present criminal original petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. The learned Additional Public Prosecutor submitted that already a complaint was lodged against the petitioner by the said Thaher Khalili and the said complaint is pending for enquiry in C.S.R.No.304 of 2015. Now the present complaint is only a counter complaint.

5. In view of the submission made by the learned Additional Public Prosecutor, this Court directs the petitioner to give a copy of the complaint dated 04.07.2015 along with the copy of this order within a period of one week from the date of receipt of a copy of this order, and on receipt of the same, the respondent is directed to enquire into both the complaints and proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.

Sd/-
Asst.Registrar(CS-VII)

/true copy/

Sub Asst. Registrar

To

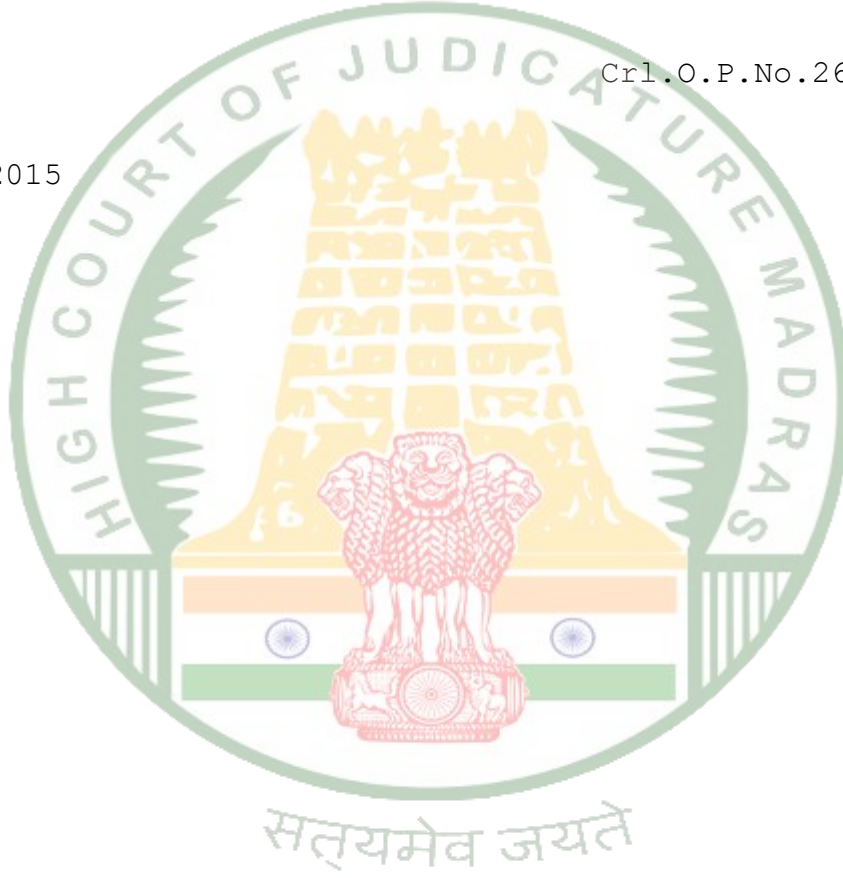
1.The Inspector of Police,
F4-Thousand Lights Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+lcc to M/S.M.Jaikumar, Advocate sr.60949

Crl.O.P.No.26173 of 2015

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