

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.26203 of 2015

Mrs.Floria

.. Petitioner

..VS..

1. The Commissioner of Police
Veperi
Chennai

2. The Inspector of Police
R9, Valasaravakkam Police Station
Chennai - 600 087

..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent to register a case based on the complaint given by the petitioner on 06.07.2015 and to investigate the same.

For Petitioner : Mr.P.Sesubalan Raja

For Respondents: Mr.Emalias
Additional Public Prosecutor

O R D E R

The present petition has been filed seeking a direction to the second respondent to register a case based on the complaint given by the petitioner dated 18.06.2015.

2. The petitioner, who is a tenant, is running a school by name "Zion Kids Park" on lease in the building belonging to one Dhakshanamurthy since 10.06.2011 on a understanding that she should be allowed to continue the tenancy for a considerable period as she had to spend a lot of amount to convert the residential building into a school. The said Dhakshanamurthy also accepted the said condition and entered into the lease agreement with the petitioner. While so, when the school run by the petitioner got popular among the vicinity, the landlord, who is a retired teacher, demanded the petitioner to vacate the premises stating that he wanted to run the school. On 18.06.2010, at about 06.00pm, the said Dhakshanamurthy along

with 20 hooligans came to the school premises and locked the premises after assaulting the watchman engaged by the petitioner. It is stated by the petitioner that though he called the police, the police personnel, who came to the spot, did not take any action. Hence, the petitioner approached the Commissioner of Police and only thereafter, the second respondent has issued C.S.R.No.332 of 2015 to the complaint given by the petitioner. Again on 04.07.2015, one Idi.Ma.Arul belonging to Thamilar Neethi Katchi trespassed into the school run by the petitioner with three hooligans and threatened the petitioner that she has to vacate the premises or else he would murder the petitioner. Hence, the petitioner lodged another complaint on 06.07.2014. The said occurrence was recorded by the petitioner and a copy of the same was also handed over to the Deputy Commissioner of Police along with the complaint lodged by the petitioner on 06.07.2015. Even thereafter, the police officials did not take any action. Hence, the petitioner came forward to file this petition.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. Considering the submissions made on either side, this Court is of the opinion that it is appropriate to direct the second respondent to conduct an enquiry on the complaint dated 06.07.2015 given by the petitioner, if enquiry was not conducted so far and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the second respondent is directed to proceed further in accordance with law, as early as possible.

5. The Criminal Original Petition is disposed of accordingly.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

gpa
To

1. The Commissioner of Police
Veperi
Chennai

2. The Inspector of Police
R9, Valasaravakkam Police Station
Chennai - 600 087

3. The Public Prosecutor
Madras High Court
Chennai

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