

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.26385 of 2015

S.R.Jagadeesan

... Petitioner

Vs.,

The State rep. by
Inspector of Police,
Thiruporur Police Station,
Thiruporur.

... Respondent

Prayer: Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondent to register the case against the named person on the complaint given by the petitioner dated 04.09.2015 and investigate the same.

For Petitioners : Mr.R.Radha Pandian

For Respondent : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed by the petitioner praying to direct the respondent-Police to register the FIR on the basis of the petitioner's complaint dated 04.09.2015.

2.The petitioner herein lodged a complaint as against one Kanniappan Naicker, Perambalam on the allegation that through power agent, the said Kanniappan Naicker and his family members sold a property in Survey No.46/5 measuring 0.95 cents, situated at No.116, Madayathoor Village, Chengalpattu Taluk, Kancheepuram District, in favour of the petitioner on 14.09.2007 by way of sale deed vide Doc.No.9284 of 2007, registered in the office of Sub-Registrar, Tiruporur. After purchase, the petitioner has been in possession and enjoyment of the said property and all the revenue records stand in the name of the petitioner. While being so, all of a sudden, the said Kanniappan Naicker has settled 10 cent of land in same Survey No.46/5, which was already sold to the petitioner, in favour of his son Kumar on 19.03.2012 by way of settlement deed Doc.No.2703 of 2012, registered in the office of Sub-Registrar, Thiruporur. Further, on 02.09.2015, while

the petitioner was marking the property for putting up fence, the said Kanniappan Naicker, his son and six others trespassed into the said property and threatened the petitioner with dire consequences. Hence, the petitioner lodged the complaint with the respondent-Police. Since no action was taken by the respondent-police on the petitioner's complaint, the petitioner has come forward with the present petition before this Court.

3.Heard both sides. The learned Additional Public Prosecution submitted that the petitioner's complaint has been received by the respondent-Police in C.S.R.No.264 of 2015.

4.Considering the facts and circumstances of the case, since the petitioner's complaint has been received in C.S.R.No.264 of 2015, this Court directs the respondent-Police to conduct an enquiry in C.S.R.No.264 of 2015 and dispose of the same in accordance with law, as early as possible.

With the above direction, the criminal original petition is disposed of.

sd/
ASSISTANT REGISTRAR (CS-V)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

ssv

Copy to_

1.The Inspector of Police,
Thiruporur Police Station,
Thiruporur.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.R.Radha Pandian Advocate. SR.NO. 61944

CrI.O.P.No.26385 of 2015

CO-SKV

JD 14/12/2015