

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26394 of 2015

V.Muthaiah

... Petitioner

Vs

State

By Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai.

.... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the Inspector of Police, T-4 Maduravoyal Police Station, Chennai to register the complaint dated 01.10.2015 lodged on behalf of the petitioner and take suitable action against the said Balaraman and his henchmen.

For Petitioner : Mr.Y.Prakash

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 respondent to register a case on the basis of the complaint of the petitioner dated 01.10.2015.

2. The petitioner has lodged a complaint against one Balaraman with regard to a dispute that was existing between the petitioner and the said Balaraman in respect of a property. On 19.12.2014, when the petitioner has started construction in the property with the help of one P.S.Chandramouli, the said Balaraman obstructed the construction work. Hence, the petitioner lodged a complaint before the respondent police and CSR No.1609 of 2014 has been assigned, based on the complaint given by the petitioner. As a counter blast, the said Balaraman lodged a complaint in CSR.Nos.1608 of 2014 and 801 of 2015 against the petitioner and the contractor, alleging that the suit property belonged to him.

3. Today, when the matter is taken up for consideration, learned Additional Public Prosecutor submitted that the respondent police have enquired into the complaints pending in Csr Nos.1608 of 2014, 1609 of 2014 and 801 of 2015 and the same were closed as purely civil in nature and both the parties are advised to seek remedy through civil court. The copy of the closure report has been produced before this court for perusal.

4. Since the complaints were enquired into and closed, nothing survives in this petition. Hence, this court cannot give any direction and the petition is dismissed. However, the petitioner is at liberty to work out his remedy in the manner known to law, as if so desires.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mrp

To

1. Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

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