

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Cr1.O.P.No.27067 of 2015

S.Baskar

... Petitioner

Vs.

1. The State rep by
The Superintendent of Police,
Vellore District, Vellore.
2. The Inspector of Police,
Rural Police Station,
Arakkonam, Vellore District.
3. The Sub-Inspector of Police,
Ideal Police Station, Takkolam,
Arakkonam Taluk,
Vellore District

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondents to register the petitioner's complaint dated 15.09.2015 and file the final report.

For Petitioner : Mr.K.Balaji

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition is filed for a direction to the respondents to register the petitioner's complaint dated 15.09.2015 and file the final report.

2.In the petition it is stated that the petitioner is a resident of Ananthapuram Village, Arakkonam Taluk, Vellore District and his family is owning a land in Survey Nos.19/1, 19/2, 35, 36, 240 to 251 of Ananthapuram village and they are depending upon lake water which is stored during rainy season but there is an encroachment in the banks of the lake to an extent of 24 acres in the land bearing Survey Nos.160/1, 162, 168, 169/1 and 171/2 at Ananthapuram village and the encroachers are illegally opening the channel during night hours and wasting the water.

3.It is further stated that pursuant to a direction given by this Court in a writ petition, the Executive Engineer also came along with the Revenue Authorities and removed major portion of encroachments and one Ravi requested for a month's time to remove the encroachment stating that his crops are ready for harvesting and hence the Revenue Authorities including the respondents did not remove him. But, till now the said Ravi is cultivating crops and when the Authorities demanded him to remove the encroachment, he did not bother instead threatened the PWD Authorities and the village people including the petitioner. Hence, the petitioner lodged a complaint with the respondents police on 15.09.2015 but till date no action has been taken. Hence, this petition.

4.The learned Additional Public Prosecutor opposed to grant direction stating that the petitioner has no locus standi to approach the respondents police or this Court and he has to approach the PWD Authorities.

5.The learned counsel appearing for the petitioner submitted that he has given complaint only for the offence of threatening the village people and the petitioner committed by the said Ravi. He has also invited the attention of this Court to the extract of Tamil Nadu Protection of Lakes and Removal of Encroachment Act, 2007 and submitted that the Police has the power to take action.

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

7.Irrespective of the submissions made on either side, this Court directs the respondents to conduct enquiry on the complaint given by the petitioner dated 15.09.2015 and dispose of the same in accordance with law, as early as possible.

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

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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To

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

2. The Inspector of Police,
Rural Police Station,
Arakkonam, Vellore District.

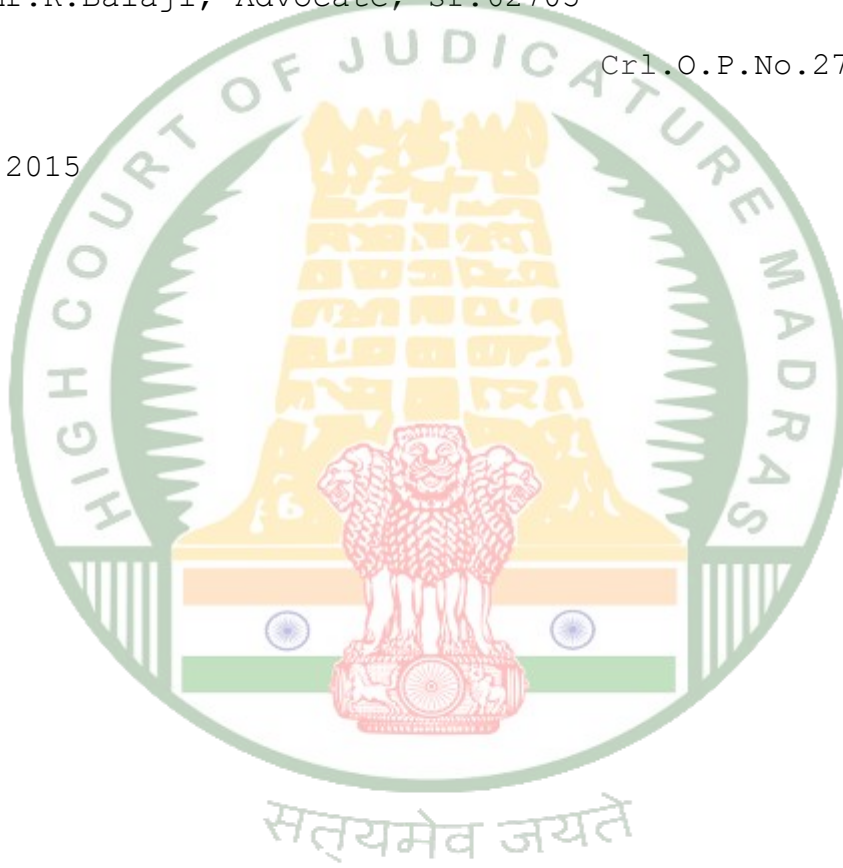
3. The Sub-Inspector of Police,
Ideal Police Station, Takkolam,
Arakkonam Taluk,
Vellore District

4. The Public Prosecutor
High Court, Madras.

+1 cc to Mr.K.Balaji, Advocate, sr.62705

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sr co
kra 08.12.2015



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