

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.27439 of 2015

B.Asaithambi

.. Petitioner

Vs

The State represented by
The Inspector of Police,
R.8, Police Station,
Vadapalani,
Chennai - 600 026.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the complaint and to take proper action to recover the document and the amount under the complaint dated 19.05.2015.

For Petitioner : Mr.G.Appavu

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 police to register the complaint given by the petitioner dated 19.05.2015 and to take proper action to recover the document and the amount under the complaint.

2. The petitioner is the absolute owner of the house and premises bearing Door No.52, Ponnammal Street, Kumaran Colony, Vadapalani, Chennai - 600 026. His adjacent property was owned by one Appu. The petitioner has also purchased the adjacent property from the said Appu and the petitioner was in possession of the said portion. But the petitioner was unable to approach the Tahsildar for obtaining patta, in respect of the property purchased from the said Appu. While so, One P.K.T.Vijaya came forward to make necessary arrangements to get patta and demanded Rs.25,000/- and the petitioner had paid advance of Rs.10,000/- to her and he also handed over the original title documents to her for obtaining patta. Thereafter, she has neither obtained patta nor handed over the original documents to the petitioner. Hence, the petitioner lodged a complaint before the respondent police to take proper action to recover the amount and to

recover the document. But till date, no action has been taken by the respondent police. 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 respondent.

4. The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.377 of 2015 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made by the petitioner as well as the Additional Public Prosecutor, this Court directs the respondent to conduct enquiry on the complaint of the petitioner dated 19.05.2015 in C.S.R.No.377 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent is directed to proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.
vrc/vsm

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police,
R.8 Police Station,
Vadapalani,
Chennai - 600 026.

2. The Public Prosecutor,
High Court, Madras.

+1 C.C. To MR.G.Appavu, Advocate in SR.NO.61735

CrI.O.P.No.27439 of 2015

BVR (CO)

sd : 26/11/2015