

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27688 of 2015

N.Ramesh

... Petitioner

Vs

Inspector of Police,
Land Grabbers Cell Team II,
Central Crime Branch,
Vepery,
Chennai.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent Police to register the complaint into First Information Report pending in C.No.457/Ac/LG-II/PE/2014 in C.No.1313/DC-CCB-II/PE/2014 on the file of the Inspector of Police, Team II, CCB, Vepery, Chennai-600 007 dated 16.12.2014.

For Petitioner : Mr.A.Ganesh

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor.

ORDER

The present criminal original petition has been filed seeking a direction to the respondent Police to register the complaint into First Information Report pending in C.No.457/Ac/LG-II/PE/2014 in C.No.1313/DC-CCB-II/PE/2014 on the file of the Inspector of Police, Team II, CCB, Vepery, Chennai-600 007 dated 16.12.2014.

2. The petitioner submits that in the year 1962, his grand father had purchased plots, measuring to the extent of 5332 sq.ft., situated at Survey No.401/2 and having Plot Nos.24 & 25, Venkataramana Nagar, Kishkintha Main Road, at Tambaram in the name of his wife Mrs.Lakshmi Bai vide Document No.664/1962, registered in Registrar of Madras, Chengalpet District. The petitioner's grandfather Justice Mr.T.Venkatadri passed away on 26.09.1980 and his grandmother had passed away on 23.07.1984, leaving behind her only daughter Mrs.Indira Nammalvar. The petitioner's mother had inherited the aforesaid property as a legal heir. The petitioner's mother died intestate on

03.05.2005 leaving behind the petitioner and his brother Mr.Suresh. Now the petitioner and his brother inherited the property and they have also obtained patta in their name. The petitioner came to know that one Anbu Mani executed a power of attorney in respect of the property owned by the petitioner. Further, the petitioner came to know that one Rani had obtained a legal heir certificate by falsely stating that she is the daughter of late Justice T.Venkatadri by producing fabricated documents. In fact the petitioner's grand father Justice T.Venkatadri had only one daughter that was the petitioner's mother. Therefore, the petitioner lodged a complaint on 16.12.2014, but the same was not registered so far. Hence, the petitioner has filed the present criminal original petition.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. Learned Additional Public Prosecutor submits that the petitioner has not produced the necessary documents before the respondent police and hence, the respondent police have closed the complaint. If the petitioner produces the necessary document, the respondent police will re-open the case and conduct an enquiry.

5. In view of the submission made by the learned Additional Public Prosecutor, this Court directs the petitioner to produce all the necessary documents, viz., Plan Copy (Layout) of Document No.664, within a period of one week from the date of receipt of a copy of this order along with the copy of this order and on receipt of such document, the respondents police are directed to re-open the complaint and conduct enquiry and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondents are directed to proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.

vsm

-s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Land Grabbers Cell Team II,
Central Crime Branch,
Vepery,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.A.Ganesh, Advocate SR 62368

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