

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27770 of 2015

1.S.Narayanan
2.S.Murugan

... Petitioners

Vs

State rep by
Inspector of Police,
T-4 Maduravoyal Police Station,
Chennai - 600 095.

.... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent police to register a case against the said person Jeevanandam and investigate the matter according to law on the basis of the complaint given by the petitioners to the respondent on 17.07.2015.

For Petitioners : Mr.A. Rajaraman
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 a case on the basis of the complaint given by the petitioner dated 17.07.2015 and investigate the same in accordance with law.

2. In the petition, it has been stated that the petitioners own lands bearing Plot Nos.53 and 54 in Dasari Padma Nagar, Maduravoyal. There is a 30 feet Main Road situated in S.No.296/1B and 297/1. The counter petitioner viz., Jeevanandam owned a property in the Eastern side of the Main Road. The said Jeevanandam damaged the above road with the help of J.C.B.Machine and digging the road without using the others. Therefore, the petitioner is not in a position to use the said road. Hence, the petitioners lodged a complaint as against Jeevanandam on 17.07.2015. But, till date no action was taken. Hence, the petitioners has filed the present criminal original petition.

3. I have heard the learned counsel appearing for the petitioners 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 petitioners, C.S.R.No.727 of 2015 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made by the petitioners as well as the Additional Public Prosecutor, this Court directs the respondent police to conduct enquiry on the complaint of the petitioners dated 17.07.2015 in C.S.R.No.727 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.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsm

To

1.The Inspector of Police,
T-4 Maduravoyal Police Station,
Chennai - 600 095.

2.The Public Prosecutor,
High Court, Madras.

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