

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28265 of 2015

R.Mani Arul

... Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
Town Police Station,
Karaikal.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Mariamman Koil Street,
Karaikal.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the first respondent to register the case on the petitioner's complaint dated 12.11.2015 as against the accused persons and investigate the same in accordance with law.

For Petitioner : M/s.Sai, Bharath and Ilan

For Respondents : Mr.M.D.Thangavel
Government Advocate (Pondicherry)

सत्यमेव जयते
O R D E R

The present criminal original petition has been filed seeking a direction to the first respondent to register a case on the basis of the complaint of the petitioner dated 12.11.2015 as against the accused persons and investigate the same in accordance with law.

2.It is seen in the affidavit filed by the petitioner that on 11.09.2014 the petitioner entered into a sale agreement with the accused persons namely Deivasagayam, Piar, Rasasundaram and Deivasagayam Lilly Ignitious Suseela to purchase the properties, situated in Town Survey Nos.F/9/5 and F/9/6, ad-measuring 2281 sq.ft. and 2658 sq.ft.,respectively at the rate

of Rs.1,90,00,000/- . Pursuant to the sale agreement, the petitioner had paid a sum of Rs.1,90,00,000/- and they had executed a sale deed in favour of the petitioner. Subsequently, the petitioner came to know that they are not the original owners of the property. Therefore, the petitioner lodged a complaint before the respondent police on 12.11.2015. But, till date no action has been taken. Hence, the petitioner filed the present criminal original petition.

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

4.In view of the submissions made on either side, this Court directs the first respondent to conduct enquiry on the complaint given by the petitioner dated 12.11.2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further, in accordance with law, as early as possible.

5.This criminal original petition is disposed of accordingly.

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Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police,
Town Police Station,
Karaikal.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Mariamman Koil Street,
Karaikal.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s.Sai, Bharath and Ilan, Advocates Sr 63660.

Cr1.O.P.No.28265 of 2015

SAI/CO
KR/9/12