

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2015

Coram

THE HONOURABLE MR. JUSTICE R.S.RAMANATHAN

Crl.O.P.No.1720 of 2014

T.Sekar @ Thanga Sekar

..Petitioner

/vs/

1.The Superintendent of Police,
Villupuram District at
Villupuram.

2.The Inspector of Police,
Land Grabbing Cell,
Villupuram Police Station,
Villupuram District.

..Respondents

Prayer:

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the second respondent herein viz., the Inspector of Police, Land Grabbing Cell, Villupuram Police Station, Villupuram District to register a case against the accused person Mrs.Madhavai Viswanathan and the others on the complaint dated 15.10.2013 given by him to the first respondent herein.

For Petitioner :Mr.A.Kalaivanan

For Respondents:Mr.R.Pratap Kumar

Government Advocate (Crl.side)

ORDER

This petition is filed by the petitioner seeking for a direction directing the second respondent herein, viz., the Inspector of Police(Land Grabbing Cell), Villupuram Police Station, Villupuram to register a case against the accused person Mrs.Madhavi Viswanathan and others on the basis of the complaint dated 15.10.2013 given by the petitioner to the first respondent herein.

2.It is submitted by the learned counsel appearing for the petitioner that the persons named as accused in the complaint, fabricated the documents and created a release deed, as if they got the property as per the decree passed in O.S.No.125 of 1984 on the

file of the Principal District MUnsif Court, Villupuram, whereas they were not a party to the decree in O.S.No.125 of 1984 and therefore, action has to be taken against those persons.

3.The learned Government Advocate(Crl.side) for the respondents submitted that the matter was enquired and found that the dispute is civil in nature and hence, the complaint was closed as mistake of fact.

4.According to me, having regard to the submissions of the learned Government Advocate(Crl.side)appearing for respondents, there is no need to give any direction. Further, it is admitted by the learned counsel for the petitioner that the petitioner purchased the property in Villupuram District in S.No.491/1C1 measuring an extent of 0.17 cents under an unregistered sale deed dated 15.07.1986 and the petitioner claims title under unregistered sale deed. In that case, it is to be considered whether the petitioner has got a valid title to the property.

5.Therefore, considering the submissions of the learned counsel appearing for the respondent that the matter was enquired and the same was closed as mistake of fact, there is no need to pass further orders. Hence, this criminal original petition is dismissed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Superintendent of Police,
Villupuram District at
Villupuram.

2.The Inspector of Police,
Land Grabbing Cell,
Villupuram Police Station,
Villupuram District.

3.The public Prosecutor,
High Court, Madras.

+1 cc to Mr.A.Kalaivanan, Advocate,SR.28058.

Kji(co)
krd 25/6

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