

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.28390 of 2015

K.Shivakumar

... Petitioner

Vs

State by Inspector of Police,
High Court Police Station,
(Esplanade Police Station)
High Court Buildings,
Chennai - 600 104

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent police to register a case for the various cognizable offences on the basis of the complaint dated 05.10.2015 against the persons named in the complaint.

For Petitioner : Mr.T.S.Kani

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 a case for the various cognizable offences on the basis of the complaint dated 05.10.2015.

2. The case of the petitioner is that the petitioner's ancestor started a trust, namely, Muthuramalinga Thevar Trust, in the year 1960, which was not registered by them at that time. Through the trust, they were doing welfare measures like providing education and medical assistance to all the communities. Later, the said trust was registered on 21.05.2014 on the file of the Sub-Registrar, Periamet and since

the petitioner is a practising advocate, he was nominated as president of the said Trust by his ancestor. With a view to grab the property of the Trust, one T.M.J.Kadhijtha Nooriya and 7 others jointly filed a petition for eviction against the petitioner in R.C.O.P.Nos.1522 of 2013 and 522 of 2014 and in that RCOP petitions, only one person has signed by forging the signatures of other six persons. Hence, the petitioner has lodged a complaint on 05.10.2015. But, till date, no action was taken on the said complaint. Hence, the present criminal original petition has been filed.

3. Today, when the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that since RCOP petitions are pending between the parties, the complaint given by the petitioner has been closed. He has also produced the closure report for perusal of this Court.

4. Since the complaint given by the petitioner was enquired and closed, nothing survives in this petition. Therefore, the petition is dismissed and the petitioner is at liberty to work out his remedy in the manner known to law, if he so desires.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mrp/nvi

To

1. Inspector of Police,
High Court Police Station,
(Esplanade Police Station)
High Court Buildings,
Chennai - 600 104.

2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.28390 of 2015

KSJ(CO)
CA(22/12/2015)