

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28604 of 2015

S.Saraswathi

... Petitioner

Vs

The State,
Represented by
The Inspector of Police,
M-7, Manali Puthunagar Police Station,
Chennai.

.... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to register the case on the basis of the complaint dated 18.08.2015, in CSR No.179 of 2015 on the file of the respondent police.

For Petitioner : Mr.S.Shankar

For respondent : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

This petition has been filed to direct the respondent police to direct the respondent to register the case on the basis of the complaint dated 18.08.2015, in CSR No.179 of 2015 on the file of the respondent police.

2. The petitioner purchased a plot measuring 2730 sq.ft in survey No.253 situated at Jagan nagar Vichur Village, Ponneri Taluk from one Selvanathan by paying Rs.1 lakh through one Govindaraj. The said Selvanathan was running a real estate agency. After registration of the property at Thiruvottiyur Sub Registrar Office, the said Govindaraj promised the petitioner to hand over the documents to her within 15 days but he failed to do so and his whereabouts was also not known to the petitioner. When the petitioner went to see her plot, she was shocked to see that stones were dumped on the plot to erect fencing. When she enquired about the same, she came to know that the said Govindaraj had created a fake power of attorney as if the petitioner executed a power of attorney in his favour and he had

sold the property to one Rajalakshmi and he had also made various illegal transactions over the said property. Hence, she lodged a complaint with the respondent police on 18.08.2015. Since there is no progress, the present petition has been filed.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Learned Additional Public Prosecutor submitted that on receipt of the complaint from the petitioner, C.S.R.No.179/2015 was assigned and the petition enquiry is pending.

5. Since C.S.R.No.179/2015 was assigned on the complaint given by the petitioner, this Court directs the respondent police to conduct the enquiry in CSR.No.179/2015 and if the materials are gathered indicating commission of any cognizable offence, the respondent police is directed to proceed further in accordance with law, as early as possible. In the course of enquiry, if no prima facie is made out or the matter is civil in nature, he is directed to pass appropriate orders on the complaint made by the petitioner.

6. This criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Inspector of Police,
M-7, Manali Puthunagar Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.S.Shankar, Advocate SR.64741

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BVR(CO)
EU 15.12.15