

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.29066 of 2015

Ellappa Gounder

... Petitioner

Vs

Inspector of Police,
Land Grabbing Section,
O/o.Superintendent of Police,
Villupuram District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to register the case on the petitioner's complaint dated 29.07.2014.

For Petitioner : Mr.N.Subramani

For respondent : Mr.C.Emalias, APP

O R D E R

The present criminal original petition has been filed to register the case on the petitioner's complaint dated 29.07.2014.

2. The petitioner has purchased a property bearing new S.No.53/4 1.09.5 Ares, now subdivided as 53/4B, 0.44.0 Ares Old No.147/7 in the Brama Desam Village, Tindivanam, from one Madhavan vide D.No.1077 of 2007. The said Madhavan colluded with one Latha and created forged documents and based on the said forged documents, the said Madhavan executed another sale deed in respect of the petitioner's property to the said Latha vide D.No.4824 of 2011. Hence, the petitioner has lodged a complaint against the said persons on 27.06.2013, under Land Grabbing Act. But, due to political and money power, the respondent has not taken any action against them. Hence, he filed Crl.O.P.No.7445 of 2014 before this Court. While the Crl.O.P was pending, the respondent police informed this Court that the dispute between the parties was settled and closed and based on the information, that Crl.O.P was dismissed. Hence, he again lodged a complaint on 29.07.2014 before the Superintendent of Police and the same was forwarded to the respondent. But,

till date, no action has been taken on the said complaint. Hence, the present criminal original petition has been filed.

3. Today, when the matter is taken up for consideration, learned Additional Public Prosecutor submitted that since the matter was settled between the parties, the complaint was closed.

4. The learned counsel for the petitioner denies the same stating that the matter was never settled and he has not given any letter with regard to the settlement before the respondent police.

5. Since the complaint given by the petitioner was closed, nothing survives in this petition. Therefore, the petition is dismissed and the petitioner is at liberty to work out his remedy under Section 156(3) of Cr.P.C., if he is so advised.

mrp

s/d-
Assistant Registrar(CS-V)

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,
Land Grabbing Section,
O/o.The Superintendent of Police,
Villupuram District.

2.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.N.Subramani, Advocate SR 68883

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