

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29069 of 2015

Senthilkumari

... Petitioner

Vs

1.The District Superintendent of Police,
Perambalur District,
Perambalur.

2.The Inspector of Police,
Mangalamedu Police Station
Perambalur District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent to register the FIR based on the complaint of the petitioner dated 29.9.2015 and investigate the same in accordance with law to secure the ends of justice.

For Petitioner : Mr.M.Velmurugan

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

ORDER

The present criminal original petition has been filed seeking a direction to the second respondent to register the FIR based on the complaint of the petitioner dated 29.9.2015 and investigate the same in accordance with law to secure the ends of justice.

2. In the petition, it is averred that the petitioner is in possession of the land in Survey No.18/19 measuring to an extent of 0.03 cents situated at Ogalure Villagte, Kunnam Taluk, Perambalur District, by paying tax to Arulmighu Abaradharatchakar temple. The said temple is under the control of H.R. & C.E. Department. While so, one Anandhakumar

trespassed into the said land and removed the hut and put up boundary stones. When the petitioner questioned the same, the said Ananthakumar abused her in filthy language and threatened her with dire consequences. Hence, the petitioner lodged a complaint with the second respondent police on 29.9.2015. But, till date, no action was taken on the said complaint. Hence, the present petition.

3. Learned Additional Public Prosecutor submitted that the said land belongs to one Arulmighu Abaradharatchakar temple. Now the petitioner has claimed that she is the owner of the land. Therefore, the question of registering FIR based on the complaint of the petitioner does not arise in this case.

4. In view of the said submission made by the learned Additional Public Prosecutor, I am of the opinion, this Court cannot grant any direction as sought for by the petitioner in this petition. Hence, the criminal original petition is dismissed. However, the petitioner is at liberty to work out her remedy in a manner known to law, if she is so advised.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sbi

To

- 1.The District Superintendent of Police,
Perambalur District,
Perambalur.
- 2.The Inspector of Police,
Mangalamedu Police Station
Perambalur District.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.29069 of 2015

aa18/12/2015