

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29184 of 2015

Chandra

... Petitioner

Vs

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

2. The Inspector of Police,
District Crime Branch,
Namakkal District,
Namakkal.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent to register the petitioner's complaint dated 03.09.2015 and investigate the matter in accordance with law.

For Petitioner : Mr.M.N.Balakrishnan

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

O R D E R

This petition has been filed to direct the 2nd respondent to register the petitioner's complaint dated 03.09.2015 and investigate the matter in accordance with law.

2. The petitioner states that her father Manickam Pillai was having property in S.No.95/1 situated at Koppanampalayam village, Paramathi Velur Taluk. He died on 29.01.2007. Subsequent to the death of her father, her brother Balasubramaniam obtained legal heir certificate stating that he is the only son of Manickam Pillai and sold the said property. Hence, the petitioner lodged a complaint with the respondent police on 3.9.2015. Since no action was taken the present petition has been filed.

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

4. Learned Additional Public Prosecutor submitted that the matter is purely civil in nature as the dispute is with regard to property in which the brother of the petitioner obtained legal heir certificate showing him as the only legal heir of his father and sold the property of his father. He further submitted that the petitioner has to adjudicate her claim with the revenue officials.

5. Considering the submission made by the learned Additional Public Prosecutor, this Court is of the opinion that this petition cannot be entertained. Hence, the criminal original petition is dismissed.

vsi

s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Namakkal District,
Namakkal.
2. The Inspector of Police,
District Crime Branch,
Namakkal District,
Namakkal.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.M.N.Balakrishnan, Advocate SR 66046

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