

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29407 of 2015

M.Sankar

... Petitioner

Vs

State by
Inspector of Police,
Barur,
Krishnagiri District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the complaint dated 18.11.2015 in C.S.R.No.188 of 2015 and file a Final Report in accordance with law.

For Petitioner : Mr.K.Balu

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

O R D E R

The present Criminal Original Petition has been filed seeking a direction to the respondent to register the petitioner's complaint dated 18.11.2015 in C.S.R.No.188 of 2015 and file a Final Report in accordance with law.

2. In the affidavit accompanying the petition, the petitioner has stated that he purchased an agricultural land to an extent of 3 acres and 84 cents bearing S.No.156 at Barur Village through public auction by the Tamil Nadu Industrial Investment Corporation (TIIC) in the year 2010. One Sivasankar, who is the erstwhile owner of the abovesaid property borrowed loan from TIIC and executed a mortgage deed in favour of TIIC. Since the said Sivasankar failed to pay the principal amount as well as the interest, the Corporation officials took possession of the property and sold the same to the petitioner through public auction.

3. It is the case of the petitioner that on the date of purchase itself, he mutated entire revenue records in his name and he is in peaceful possession and enjoyment of the property without any hindrance. Thereafter, he came to understand that the said Sivasankar fraudulently executed a sale deed in favour of one Govindasamy and Kalaivani and from then onwards, the accused persons continuously troubled the petitioner by damaging the property and removing the trees therein. Regarding the atrocities of the accused, the petitioner made a complaint with the respondent on 18.11.2015 and a receipt was issued in C.S.R.No.188 of 2015. Since the respondent police has not acted on his complaint, having no other alternative, the petitioner has come up with the present Criminal Original petition.

4. Heard the learned counsel for the petitioner as also the learned Additional Public Prosecutor appearing for the respondent.

5. Learned Additional Public Prosecutor appearing for the respondent submitted that it was brought to the notice of the respondent police that the accused had cancelled the forged sale deed.

6. Considering the above submissions and taking note of the fact that C.S.R. has been assigned to the petitioner's complaint vide C.S.R.No.188/2015, this Court feels it appropriate to direct the respondent to conduct an enquiry on the petitioner's complaint dated 18.11.2015, if enquiry is not conducted so far, and proceed further in accordance with law, as early as possible.

This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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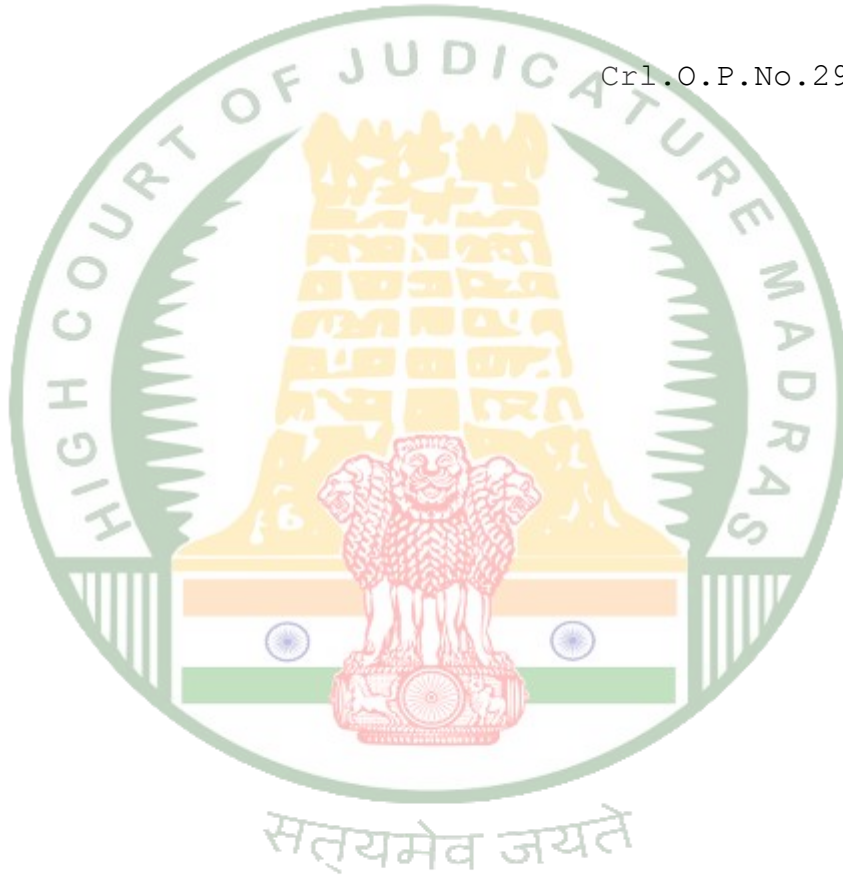
To :

1. The Inspector of Police,
Barur, Krishnagiri District.
2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.K. Balu, Advocate Sr.66770

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