

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29496 of 2015

Mahalakshmi

... Petitioner

Vs

1. The Superintendent of Police,
Villupuram District.

2. The Inspector of Police,
Kandamangalam Police Station,
Villupuram District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondents to register the FIR based on the complaint dated 11.11.2013 submitted by the husband of the petitioner to the second respondent under CSR.No.240 of 2013 and further representation on 03.10.2015 submitted by hand by the petitioner before the first respondent.

For Petitioner : Mr.G.Thangavel.

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking direction to the respondents to register a case on the basis of the complaint given by the petitioner's husband dated 11.11.2013 to the second respondent under CSR.No.240 of 2013 and the further representation on 03.10.2015 submitted by the petitioner before the first respondent.

2. The petitioner's husband lodged a complaint before the second respondent on 11.11.2013 and CSR No.240 of 2013 has been assigned. The second respondent referred the matter to the concerned Tahsildar in order to ascertain the facts and the Tahsildar also issued the proceedings under O.Mu.A3/11313/2014 dated 05.11.2015, by enlightening the fact that the property at Survey No.282/8A, 285/7 and 300/2A of Palliputhupattu Village , belongs to the petitioner. In these circumstances, the petitioner has been continuously facing threat to her life by

one Purushothaman and others. Hence, she lodged a complaint against them. 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 both the complaint given by the petitioner and the complaint given by the counter petitioner were enquired into and closed.

4. The learned counsel for the petitioner submitted that on 05.11.2015, Tahsildar has issued a proceeding stating that the property at Survey No.282/8A, 285/7 and 300/2A belongs to the petitioner. Therefore, now, the closure of the complaint is not proper.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mrp/nvi

To

1. The Superintendent of Police,
Villupuram District.

2. The Inspector of Police,
Kandamangalam Police Station,
Villupuram District.

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.G. Thangavel, Advocate Sr.67429

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GR(CO)

EU 05.1.15