

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29567 of 2015

R.Gopalsamy

... Petitioner

Vs

Sub- Inspector of Police,
Anaimalai Police Station,
Anaimalai, Pollachi Taluk,
Coimbatore District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register a case based on the petitioner's complaint dated 15.10.2015 as acknowledged by the respondent in CSR No.248 of 2015, to file an FIR and take action in accordance with law.

For Petitioner : Mr.V.Ravi

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the respondent to register a case based on the petitioner's complaint dated 15.10.2015.

2. The case of the petitioner is that he is having agricultural land to an extent of 29 cents situated in S.F.No.60/4, Kettimallanpudur Village, Ambaram Palayam, Pollachi Taluk, Coimbatore District. The patta also stands in the name of the petitioner. One K.Vellakutti and K.Nagarajan, who are encroachers of the Government Poromboke land, which is situated adjacent to the land of the petitioner, filed O.S.No.1013 of 2004 on the file of District Munsif court, Pollachi for declaration and injunction in respect of petitioner's land and the same was dismissed on 28.07.2015. Thereafter, on 14.10.2015, the said K.Vellakutti and her son tried to interfere with the possession of the property of the petitioner. Hence, the petitioner lodged a complaint on

15.10.2015 and CSR No.248 of 2015 has been issued by the respondent. But till date, no action has been taken on the said complaint. Hence, the present criminal original petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.248 of 2015 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made on either side, this Court directs the respondent to conduct enquiry on the complaint given by the petitioner dated 15.10.2015 in C.S.R.No.248 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. Sub- Inspector of Police,
Anaimalai Police Station,
Anaimalai, Pollachi Taluk,
Coimbatore District.
 2. The Public Prosecutor,
High Court, Madras.
- +1 cc to Mr.V.Ravi Advocate sr.67147

Crl.O.P.No.29567 of 2015

aa04/01/2016