

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29571 of 2015

R.Ganesan

... Petitioner

..Vs..

State rep. By

1. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai.

2. The Inspector of Police,
Office of the Commissioner of Police,
Central Crime Branch, E.D.F-I,
Team-I, Vepery, Chennai.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the first respondent to register the complaint dated 06.04.2015 and direct them to investigate the same and file the final report before the competent court of law in accordance with law.

For Petitioner : Mr.P.Kumaresan

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

O R D E R

The present Criminal Original Petition has been filed seeking a direction to the first respondent to register the complaint dated 06.04.2015, investigate the same and file final report before the competent court of law in accordance with law.

2. In the affidavit accompanying the petition, it is stated that the petitioner is a Senior citizen and was originally running a cartoon manufacturing unit at B-1, Ambattur Industrial Estate, which is his own property, measuring nearly 11 ½ grounds and due to his old age, he decided to dispose of the same and purchase a residential plot for his own possession in the nearby place. While looking for a vacant plot in and around his residence, two persons, namely, J.P.Twinklin and one A.G.Ramanna, introduced themselves as Mediators and approached the petitioner and informed him that a vacant plot is available for sale and the property has got clear title. Believing their words, the petitioner decided to purchase the said plot identified by them. Later, the abovesaid

persons introduced one T.R.Govindan, who introduced himself as the Power Agent of the original owner K.Ganesan. After scrutiny of all the documents produced by him, the petitioner purchased the plot at VGP Panner Nagar, Mogappair Village by paying the sale consideration in various intervals by receiving the money on selling the above mentioned property. Totally, the petitioner paid a sum of Rs.1,56,00,000/- in cash and another two cheques for Rs.50 lakhs each, apart from stamp paper registration expenses and brokerage, which is around Rs.30 lakhs, totalling to Rs.1,86,00,000/- and cheques.

3. It is further stated by the petitioner in the affidavit that the abovesaid persons gave the xerox copies of the parent deeds of Plot No.176, measuring about 2400 sq. feet in VGP Panneer Nagar, Mogappair Village, Chennai and also gave the original Power of Attorney of K.Ganesan, dated 11.11.2014 executed in favour of T.R.Govindan. While so, the petitioner came to know that a case was registered on 09.03.2014 against him and the so called Power Agent T.R.Govindan in Crime No.93 of 2015 for the offences under Sections 419, 465, 467, 471 and 420 IPC on a complaint given by the original owner K.Ganesan. According to the petitioner, he purchased the property on the false representation of the said T.R.Govindan and he was also under the impression that the said Power of Attorney executed in his favour was genuine. In this regard, the petitioner made a complaint to the respondent police on 06.04.2015. Since no action is taken on the said complaint, having no other alternative, the petitioner has come up with the present Criminal Original Petition seeking to register his complaint, investigate the same and file Final Report.

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

5. Learned Additional Public Prosecutor appearing for the respondents submitted that enquiry has been conducted on the petitioner's complaint and it is also closed.

6. In view of the above, recording the submissions of the learned Additional Public Prosecutor that petition enquiry has been conducted and closed, this Criminal Original Petition is closed. However, the petitioner is at liberty to work out his remedy in the manner known to law.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

aeb

To :

1. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai.
2. The Inspector of Police,
Office of the Commissioner of Police,
Central Crime Branch, E.D.F-I,
Team-I, Vepery, Chennai.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.29571 of 2015

PA (CO)
kk 20/1



WEB COPY