

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.30213 of 2015

Mary Diana Shiny

... Petitioner

Vs

1.The Inspector of Police,
S-15, Selaiyur Police Station,
Chennai-600 073.

2.The Tahsildar,
Tambaram,
Chennai-45.

... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the respondents to file a charge sheet in
Crime No.825 of 2014, dated 7.7.2014.

For Petitioner : Mr.S.Rajesh

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

ORDER

The present criminal original petition has been
filed seeking a direction to the respondents to file a
charge sheet in Crime No.825 of 2014 dated 7.7.2014.

2. It is the case of the petitioner that she is
residing at Old Door No.7/49 New No.4/6, Barathiar Street,
Santhoshpuram, East Tambaram, Chennai for the past 25
years. While so, one Martin, her adjacent plot owner,
without having any legal rights and certificate from the
Government authorities, started causing public nuisance and
trouble by converting his house into an unauthorized Church
in the second floor. Hence, the petitioner lodged a
complaint with the Deputy Commissioner of Police, St.
Thomas Mount Range, who in turn, forwarded the same to the
first respondent and the first respondent registered a case
in Crime No.825 of 2014 under Section 133 Cr.P.C. Though

the said complaint was registered as early as on 7.7.2014, till date, no action was taken on the said complaint. Hence, the present petition.

3. Today, when the matter was taken up for consideration, learned Additional Public Prosecutor submitted that the matter has been referred to Tahsildar, Tambaram under Section 133 Cr.P.C. and hence, the question of filing final report by the first respondent police does not arise. Thus, the sought for the dismissal of the petition.

4. Since on the complaint lodged by the petitioner, an enquiry is pending before the Tahsildar, Tambaram, I am of the opinion, the petitioner has to seek appropriate remedy only before the Tahsildar, Tambaram. Hence, the criminal original petition is dismissed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

sbi

To

1.The Inspector of Police,
S-15, Selaiyur Police Station,
Chennai-600 073

2.The Tahsildar,
Tambaram,
Chennai-45

3.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.S. Rajesh, Advocate, Sr. 68772

CrI.O.P.No.30213 of 2015

SKV (CO)
kk 8/1