

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.30528 of 2015

M.Rajithkumar

... Petitioner

Vs.

The Inspector of Police
Sevvapet Police Station,
Tiruvallur District,
Chennai

.... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent to register a case based on his complaint dated 23.11.2015 in C.S.R.No.255 of 2015 on the file of the Inspector of Police, Sevvapet Police Station and to proceed further in accordance with law.

For Petitioner : Mr.M.Babu Muthu Meeran

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to direct the respondent to register a case based on his complaint dated 23.11.2015 in C.S.R.No.255 of 2015 on the file of the Inspector of Police, Sevvapet Police Station and to proceed further in accordance with law.

2. In this petition, it has been stated that the petitioner's father is an ex-service man and out of his retirement benefits, the petitioner's father purchased property from one Mohan situate at Nalinikrishna Nagar, Tiruvoor , Tiruvallur District to an extent of 2460 sq. ft. and he constructed a house in that property and the petitioner's family resided in the said house. Since the Petitioner was working in a private concern, the petitioner's family shifted to Pammal. The Petitioner's father alone was residing at the house at Tiruvoor. After the demise of petitioner's father, petitioner locked the residential house at Nalini Krishna Nagar, Tiruvoor. On 27.10.2015, when the petitioner along with his

brothers Karthik,Vijaykumar went to Thiruvor to bring the belongings of his father, they found that the lock of the house was broken and the door was locked with a new lock. On enquiry, they found that 4 to 5 unknown persons along with the rowdy elements very often used to visit the said house and stay at night hours and on enquiry, the petitioner came to know that the said persons belonging to a political party. When the petitioner questioned the said persons, they threatened the petitioner and his family members not to interfere with their possession. Their names are Rajesh, Sathyamurthy and Anand. Later, the petitioner found that the above stated persons have created bogus documents such as General Power of Attorney and sale deed with an intention to grab the property. Therefore, the petitioner lodged a complaint before the respondent on 23.11.2015. Though the complaint was lodged on 23.11.2015, till date, no action has been taken by the respondent. Hence the petitioner is before this court.

3. Learned Additional Public Prosecutor submitted that the complaint has been assigned in C.S.R.No.255 of 2015 and the same is pending for enquiry.

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

5. Considering the submissions made on either side, this Court directs the first respondent to conduct an enquiry on the complaint dated 23.11.2015, given by the petitioner pending in C.S.R.No.255 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent is directed to proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msr

To

1. The Inspector of Police

Sevvapet Police Station,

Tiruvallur District, Chennai

2.The Public Prosecutor High Court, Madras.

+lcc to Mr.M.Babu Muthu Meeran, Advocate, S.R.No.69444

ad(CO)

kra (12/01/2016)

Cr1.O.P.No.30528 of 2015