

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.S.RAMANATHAN

Crl.O.P.Nos.484 and 485 2015

S.Sarath Kakumanu

... Petitioner in both the petitions

Vs

State rep. By

The Inspector of Police,
Thiruvannamiyur Police station,
Chennai District.

... Respondent in both the petitions

Prayer :- Criminal Original Petitions filed under Section 482 of Cr.P.C., to direct the respondent police to register a case based on the complaint given by the petitioner on 22.12.2014, 25.12.2014 respectively.

For Petitioner : Mr.K.Pradeepraj

For Respondent : Mr.M.Maharaja
Additional Public Prosecutor

COMMON ORDER

The petitioner has filed this petition to direct the respondent to register a case based on the complaint given by the petitioner dated 22.12.2010.

2.It is submitted by the learned Public Prosecutor that the petitioner has filed O.S.No.109 of 2015 for injunction restraining defendants in the suit from interfering with the peaceful possession and enjoyment of the suit property and in respect of the same property, another suit was filed in O.S.No.134 of 2015 by India Heritage Trust claiming to be the owner of the property and that suit is pending before the learned IV Assistant Judge, City Civil Court and O.S.No.109 of 2015 is pending before the learned II Additional Judge, City Civil Court.

3.It is submitted by the learned counsel for the petitioner that though the counter petitioner also filed O.S.No.134 of 2015, the petitioner is the owner of the property and the property was damaged by the counter petitioners.

4. Admittedly, there is a dispute regarding the title of the property and the petitioner and counter petitioner had filed civil suits, the parties have to workout their remedy before the civil court and no case can be registered on the complaint given by the petitioner and hence the petitions are dismissed.

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar.

SSD

To

1. The Inspector of Police,
Thiruvanniyur Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+2cc's to Mr.S.Veeraraghavan Advocate, S.R.No.10891,10892

EV(CO)
CA(09/03/2015)

Cr1.O.P.Nos.484 and 485 2015

सत्यमेव जयते

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