

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.9049 of 2015

N.Balaraman

...Petitioner

Vs

The State rep. By its
Inspector of Police,
Sirkali Police Station,
Sirkali Taluk,
Nagapattinam District.

...Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to register the complaint dated 21.05.2014 covered under CSR No.293/2014 given by the petitioner against the accused namely Samithurai, son of Chinna Thambi, residing at Sivan Koil Street, Semmangudi Village, Sirkali Taluk and proceed with in accordance with law.

For Petitioner : Mr.S.Udhaya Kumar

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

Seeking a direction to the respondent police to register the complaint dated 21.05.2014 covered under CSR No.293/2014 given by the petitioner against the accused namely Samithurai, son of Chinna Thambi, residing at Sivan Koil Street, Semmangudi Village, Sirkali Taluk and proceed with in accordance with law, the petitioner has come up with this petition.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3.It is seen that the petitioner had purchased a property in Court auction on 28.04.2004. It is alleged by the petitioner that the opposite parties are attempting to remove the motor shed

from the property. First, it should be seen whether the motor shed was there in the property. Further, the petitioner has to file appropriate petition for execution. Even in the complaint, the petitioner has only stated that the opposite parties are attempting to remove the motor shed. Therefore, this is not a fit case to issue a direction as prayed for by the petitioner.

4.In the result, the Criminal Original Petition is dismissed and liberty is given to the petitioner to work out is remedies in the manner known to law.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

jbm

To

1.Inspector of Police,
Sirkali Police Station,
Sirkali Taluk,
Nagapattinam District.

2.The Public Prosecutor,
High Court, Madras.

1CC to Mr.S.Udhayakumar, Advocate SR 20035

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BR [CO]
PSI 17.04.2015

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