

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.9995 of 2015

South India Cine and TV Drivers Association
Represented by its President
Mr.N.Radha.

.. Petitioner

Vs

State rep.by
The Inspector of Police, (Crime),
R-8, Police Station,
Vadapalani,
Chennai.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C.,
to direct the respondent to register an FIR on the petitioner
complaint dated 14.02.2015 and to investigate the same.

For Petitioner :Mr.A.Gokulakrishnan

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

ORDER

Seeking a direction to the respondent police to register an
FIR on the petitioner's complaint dated 14.02.2015 and to investigate
the same, 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 police.

3. On a reading of the complaint, it appears that there is a
dispute between the petitioner's association and rival groups. It is
alleged by the petitioner that the rival groups are printing separate
receipt book and collecting the Drivers batta. In this regard, a
Retired District Judge has also been appointed by this Court as a
Election Officer. Under such circumstances, a positive direction
cannot be issued to the respondent to register a case. Hence, the
respondent police shall enquire into the matter and if the complaint
discloses the commission of any cognizable offence, the respondent
police shall take necessary action in accordance with law as laid
down by the Honourable Apex Court in Lalita Kumari vs. Govt. of U.P.
& others [2013 (4) Crimes 243 (SC)]..

4.With the above direction, this Criminal Original Petition is disposed of.

-s/d-
Assistant Registrar()

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police, (Crime),
R-8, Police Station,
Vadapalani,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.A.Gokulakrishnan, Advocate SR 21737

gj (co)
prk22/4



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