



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.08.2015

CORAM:

THE HONOURABLE Ms. JUSTICE R.MALA

CRL.O.P. (MD) No.15116 of 2015

Mrs.Thavamani

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai District.

2.The Assistant Commissioner of Police,
Anti Land Grabbing Special Cell,
Madurai City.

3.The Inspector of Police,
Anti Land Grabbing Special Cell,
Madurai City.

... Respondents

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the petitioner's petition dated 27.07.2015 and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.M.Shiek Abdullah

For Respondents : Mr.A.P.Balasubramani
Government Advocate (Crl. Side)

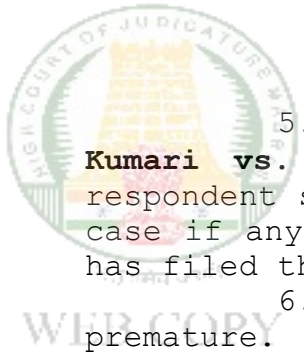
O R D E R

This petition has been filed praying to direct the respondent to register the petitioner's petition dated 27.07.2015.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the State.

3.The learned counsel for the petitioner would submit that the petitioner has come forward with this application for a direction directing the respondent to register a case on the basis of the complaint given by the petitioner on 27.07.2015. He would further submit that the adjacent owner has trespassed into his property and hence, the petitioner has lodged a complaint and he prays for a direction to the respondent to register a case.

4.This Court has perused the records. The petitioner has filed the copy of the postal receipt, which would show that that the complaint has been sent on 27.07.2015 and this Criminal Original Petition is filed on 28.07.2015.



5. As per the judgment of the Hon'ble Supreme Court in **Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]**, the respondent shall conduct preliminary enquiry within 7 days and register a case if any cognizable offence is made out. In this case, the petitioner has filed this petition on the very next day of sending the complaint.

6. In such circumstances, this petition is dismissed as premature.

Ses

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

- 1.The Commissioner of Police, Madurai City, Madurai District.
- 2.The Assistant Commissioner of Police, Anti Land Grabbing Special Cell, Madurai City.
- 3.The Inspector of Police, Anti Land Grabbing Special Cell, Madurai City.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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2P/5C

AM/18.08.2015