



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2015

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.O.P.(MD)No.16 of 2015

S.Rajendran

... Petitioner

Vs.

1. The Superintendent of Police,
Thoothukudi, Thoothukudi District.

2. The Inspector of Police,
Anti Land Grabbing Special Cell,
Thoothukudi District, Thoothukudi. ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the second respondent to register a case based on the complaint given by the petitioner dated 16.12.2014.

For Petitioner : Mr.R.Pon Karthikeyan

For Respondents : Mr.K.V.Rajarajan

Govt. Advocate (Crl.side)

O R D E R

This Criminal Original Petition is filed for a direction to the second respondent to register a case based on the complaint given by the petitioner, dated 16.12.2014.

2. On the complaint of the petitioner, a case now stands registered in Crime No.9 of 2015 on the file of the second respondent for the offences under Sections 120(B), 419, 465, 468, 471 and 420 of I.P.C.

3. On an earlier occasion, it had been submitted that petition enquiry was conducted and closed, since no merits were found in the complaint. One of the primary averments in the complaint is that the first accused, having impersonated himself as the holder of the property by name Karuppiah Nadar, had caused registration of the sale deed in favour of A2, his son in law under the name of Karuppiah Nadar and by affixing his own photographs as the said Karuppiah Nadar. Subsequently, based on the fraudulently executed sale deed, the second accused had effected a settlement in favour of his mother in law / wife of the first accused.

4. This Court had expressed its grave concern at the ineptitude of the second respondent, the Inspector of Police, Anti Land Grabbing Special Cell, Thoothukudi in not understanding the basic case and informing that no offence stood made out. Thereafter, the present case stands registered. The investigation of the case now registered shall be placed in the hands of the Deputy Superintendent of Police, Anti-Land Grabbing Cell. The second respondent/the Inspector of Police shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the District Legal Services Authority, Tuticorin within a period of two weeks from today.



5. Post the matter after two weeks for reporting compliance.

Sd/- (13.02.2015)
Assistant Registrar(CO)

13.03.2015

WEB COPY

The matter having been posted on 10th day of March 2015 for being mentioned pursuant to the order of this Court dated 03.02.2015 and made herein in the presence of the counsel on either side, the Court made the following order :-

"The matter has been listed today under the caption for 'being mentioned' at the instance of the learned Government Advocate (Crl.side).

We find no reason to modify the order dated 03.02.2015. However, we would clarify that the imposition of cost upon the Second respondent shall not be entered in his service record."

Sd/-
Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

To

(Corrected order issued)

1. The Superintendent of Police,
Thoothukudi, Thoothukudi District.
2. The Inspector of Police,
Anti Land Grabbing Special Cell,
Thoothukudi District, Thoothukudi.
3. The Deputy Superintendent of Police,
Anti land grabbing cell, Thoothukudi District, Thoothukudi.
4. The Chairman, District Legal Service Authority,
Tuticorin District, Tuticorin.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to MR.R.PONKARTHIKEYAN, ADVOCATE IN SR : 11314

Crl.O.P. (MD) No.16 of 2015
03.02.2015