

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.10151 of 2016

S.Christopher

...Petitioner

Vs.

1.The Superintendent of Police,
Nilgiris District.

2.The Inspector of Police,
Masinakudi Police Station,
Nilgiris District.

...Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent to register a case on the basis of the petitioner's complaint dated 24.03.2016.

For Petitioner : Mr.P.Kannankumar

For Respondents : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

This petition has been filed to direct the respondent to register the petitioner's complaint dated 24.03.2016.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

3. It is seen that one Gunavathi was the owner of River View Resorts and she died leaving behind two children. In order to usurp the property, one P.T.Prasath Kumarappa has set up this petitioner, as if he is the Manager of the Resort and has given him a Power of Attorney. On the strength of which, the petitioner has filed a suit in O.S.No.111 of 2015 before the Principal District Munsif Court, Gudalur against one A.Nisha and has obtained interim injunction restraining the said Nisha interfering with the peaceful possession. Thereafter, in order to perfect the title, the petitioner has lodged a complaint against the original owners of the

property. Based on which, a petition enquiry was conducted in CSR.No.17 of 2016 and the same was closed on 18.03.2016, on the ground that the complaint given by the petitioner is false.

4. Thereafter, the petitioner has filed Crl.O.P.No.6222 of 2016, in which, this Court has passed an order on 22.03.2016 without reference to the fact that the petition enquiry was conducted and closed as early as on 18.03.2016. After obtaining orders from this Court, the petitioner has issued legal notice on 22.04.2016 to the 2nd respondent-police and has filed another complaint on 01.04.2016 alleging that the second incident took place on 24.03.2016.

5. This Court called for the case files and on perusal of the same, it is seen that there are certain averments to grab the property of the opposite party and therefore, the matter requires thorough investigation by the police to find out the culpability of this petitioner. Hence, no positive direction can be issued as prayed for by the petitioner and this petition stands dismissed.

gya

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Superintendent of Police,
Nilgiris District.

2.The Inspector of Police,
Masinakudi Police Station,
Nilgiris District.

3.The Public Prosecutor,
High Court, Madras.

KR/17/6/16

CRL.OP.No.10151 of 2016