

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.1069 of 2016

Ebenezer Daniel

.. Petitioner

Vs

1. The commissioner of Police,
Commissioner Office,
Vepery,
Chennai - 600 007

2. The Inspector of Police,
F-5 Choolaimedu Police Station,
Choolaimedu,
Chennai- 600 094

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the 2nd respondent to register the complaint given by the petitioner dated 13.01.2016.

For Petitioner :Mr. Thambi S.Devendran

For Respondents :Mr.C.Emalias
Additional Public Prosecutor

ORDER

The present criminal original petition has been filed to direct the second respondent to register the complaint given by the petitioner dated 13.01.2016.

2. In the petition, it has been stated that the petitioner had purchased a shop from one Subburaj on the assurance given by him that he would arrange for a fresh rental agreement for the said shop and for which, the said Subburaj also received a sum of Rs.250/- per day and also a monthly rent of Rs.5,000/-. While so, the said Subburaj came to the shop along with rowdy elements and demanded the petitioner to return back the said shop without any valid reason. Hence, the petitioner has filed a suit in O.S.No.5981 of 2015 before the II Assistant City Civil Court, Chennai, for permanent injunction

and the same is pending. While so, on 10.01.2016, at about 5.00 p.m., when the petitioner went to open the shop, he found that the name board of the shop was removed and lock was opened and the door had been closed by welding, so that, no body could open the shop. With regard to the same, the petitioner has lodged a complaint with the second respondent on 10.01.2016. But, till date, no action has been taken on the said complaint. Hence, the present criminal original petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.15/ 2016 has been assigned and the same is pending for enquiry.

5. In view of the submissions made on either side, this Court directs the second respondent to conduct enquiry on the complaint of the petitioner dated 13.01.2016 in CSR No.15/2016 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.
mrp

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To:

1. The commissioner of Police,
Commissioner Office,
Vepery, Chennai - 600 007
2. The Inspector of Police,
F-5 Choolaimedu Police Station,
Choolaimedu, Chennai- 600 094
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.Thambi S.Devendran, Advocate SR 3116

ppa(co)
prk15/2

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