

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2016

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.No.10601 of 2014

C.CHINNASAMY

... PETITIONER

Vs.

1 STATE REP. BY THE INSPECTOR OF POLICE
LANDS GRABBING WING
O/O. SUPERINTENDENT OF POLICE
KANCHEEPURAM
KANCHEEPURAM DISTRICT.

2 THE DISTRICT SUPERINTENDENT OF POLICE
LANDS GRABBING WING
O/O. SUPERINTENDENT OF POLICE
SRIPERUMPUDUR
KANCHEEPURAM DISTRICT.

... RESPONDENTS

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondents to register the case, investigate the matter pertaining to the complaint of the petitioner dated 21.02.2013 given to the Respondent Police and to deal the Accused in according to law.

For Petitioner : Mr.S.Suseela Devi

For Respondents: Mr. V.Arul,
Government Advocate [Criminal Side]

O R D E R

This petition is filed seeking a direction to the respondent to register the case, investigate the matter pertaining to the complaint of the petitioner dated 21.02.2013 given to the Respondent Police and to deal the Accused according to law.

2. Heard the learned counsel for the petitioner and the learned Government Advocate [Criminal Side] for the respondents and perused the materials placed on record.

3. The petitioner has given a complaint alleging that the Manager of one Danish Ahmed Engineering College encroached the property and hence, he has send a complaint to the District Superintendent of Police (Land Grabbing Wing), Sriperumpudur, on 21.02.2013. Since no action was taken, he has come forward with the present petition.

4. Today when the matter is taken up for hearing, the learned counsel for the petitioner submits that no such officer available in Sriperumpudur, and submits that the petitioner may be permitted to give a fresh complaint before the Inspector of Police (Land Grabbing Wing), Kancheepuram, who is the competent authority.

5. In the above circumstances, this Criminal Original Petition is disposed of giving liberty to the petitioner to give a fresh complaint before the Inspector of Police (Land Grabbing Wing), Kancheepuram, within a period of two weeks from the date of receipt of a copy of this order. On filing of such complaint, the Inspector of Police (Land Grabbing Wing), Kancheepuram, is directed to receive the same and conduct enquiry within a period of four weeks thereafter and during the course of enquiry, if any cognizable offence is made out, F.I.R. shall be registered, following the dictum laid down by the Hon'ble Supreme Court in LALITA KUMARI vs. GOVERNMENT OF UTTAR PRADESH AND OTHERS reported in [(2014) 2 SCC 1].

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. THE INSPECTOR OF POLICE
LANDS GRABBING WING
O/O. SUPERINTENDENT OF POLICE
KANCHEEPURAM KANCHEEPURAM DISTRICT.
- 2 THE DISTRICT SUPERINTENDENT OF POLICE
LANDS GRABBING WING
O/O. SUPERINTENDENT OF POLICE
SRIPERUMPUDUR, KANCHEEPURAM DISTRICT.
- 3 THE PUBLIC PROSECUTOR, HIGH COURT, MADRAS.

+ 1 cc to M/s.Yes.S.Associates, Advocate SR 33236

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Cr1.O.P.No.10601 of 2014