

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2016

CORAM

THE HONOURABLE Mr. JUSTICE R.SUBBIAH

Crl.O.P.No.1388 of 2016

D.Ramasamy

... Petitioner

Vs

1. The State rep by
The Superintendent of Police,
Cuddalore,
Cuddalore District
2. The Deputy Superintendent of Police,
Thittagudi (Camp Office),
Cuddalore District
3. The Inspector of Police,
Avinangudi Police Station,
Cuddalore District

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the third respondent to register a first information report on the basis of the complaint dated 06.03.2015 given by the petitioner herein under the supervision of the second respondent.

For Petitioner : Mr.P.Gurunathan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the third respondent to register a First Information Report on the complaint of the petitioner dated 06.03.2016 .

2. The petitioner herein has lodged a complaint as against one Dhanalakshmi and others on the allegation that they encroached into the petitioner's property and obstructing the petitioner from enjoying his property. Though the complaint has been lodged on 06.03.2015, till date no action has been taken. Hence, he has come forward with this petition.

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

4. When the matter was taken up for consideration today, the learned Additional Public Prosecutor submitted that the complaint was given only through post and if a fresh complaint is given in person to the third respondent, necessary action would be taken.

5. In view of the submissions made by the learned Additional Public Prosecutor, this Court directs the petitioner to give a fresh complaint to the third respondent along with a copy of this order within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to conduct enquiry on the same 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 and during the course of enquiry, if the respondent comes to the conclusion that the matter appears to be civil dispute, he is directed to pass appropriate order on the complaint of the petitioner.

6. With the above directions, the Criminal Original Petition is disposed of.
srn

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Cuddalore, Cuddalore District
2. The Deputy Superintendent of Police,
Thittagudi(Camp Office),Cuddalore District
3. The Inspector of Police,
Avinangudi Police Station,
Cuddalore District
4. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.P.Gurunathan, Advocate SR 4426

nm(co)
prk8/2

Cr1.O.P.No.1388 of 2016