

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2016

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.1429 of 2016

P.Manikkavasakam
S/o.K.Rathinasamy,
6-Kannusamy Layout,
Thiruppur Road,

Udumalpet, Thiruppur District ...Petitioner/Defacto Complainant
Vs.

The Inspector of Police,
Udumalpet Police Station,
Thiruppur District ... Respondent/Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent to register the complaint of the petitioner herein dated 09.01.2016 and investigate the same in accordance with law.

For Petitioner : Mr.R.Nalliyappan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to the respondent to register the complaint dated 09.01.2016 and investigate the same.

2. The petitioner herein lodged a complaint on 09.01.2016 as against one Somasundaram and Sampath on the allegation that when the petitioner went along with Surveyor to survey the suit property, the counter petitioners prevented and threatened him with dire consequences. Though CSR.No.27 of 2016 has been assigned, till date no action has been taken. 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 respondent.

4. The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.27 of

2016 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made on either side, since a complaint is pending under C.S.R.No.27 of 2016, this Court directs the respondent police to conduct enquiry on the complaint given by the petitioner dated 09.01.2016 in C.S.R.No.27 of 2016 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, is directed to proceed further in accordance with law, as early as possible. If no prima facie case is made out for registering the case, the respondent is directed to pass an appropriate order on the complaint of the petitioner.

6. This criminal original petition is disposed of accordingly.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

srn

To

1. The Inspector of Police,
Udumalpet Police Station,
Thiruppur District

2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.R.Nalliyappan Advocate sr.3970

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