

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1477 of 2016

E.Gopi

... Petitioner

Vs

1. The Superintendent of Police,
Thiruvallur District.
2. The Inspector of Police,
F.1 Gummudipoondi Police Station,
Thiruvallur District. ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the second respondent police to register a case on the complaint given by the petitioner dated 13.05.2015, investigate the matter and file a final report within the time stipulated by this Court.

For Petitioner : Mr.R.Velu
For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the second respondent police to register a case on the complaint given by the petitioner dated 13.05.2015, investigate the matter and file a final report within the time stipulated by this Court.

2. In the petition, it has been stated that the property comprised in Survey No.404/1, an extent of 927 Sq. feet, out of 1.15.50 Hectors at Old Gummudipoondi Village originally belongs to Government land and the land classification is Chathram Poramboke land and from the beginning, the said property has been utilized by the Government for impounding the stray cattle. Thereafter, due to economic changes, the cattles are reduced in the area and the said property has been maintained as a vacant land. The petitioner is the adjacent land owner of the said property and he had utilized the suit property partly as common path way and put up

a bunk shop and carrying on petty business and for more than 30 years, he is in absolute possession and enjoyment of the property without any hindrance. While so, on 05.02.2015, one Sudhakar along with his elder brother came to the spot of the said property and asked the petitioner to vacate from the above said property. The petitioner refused to vacate the property as he is in possession of the property for more than 30 years. There was wordy quarrel between them and for that the petitioner lodged a complaint and the same was assigned C.S.R.No.17 of 2015. After enquiry, the complaint was closed and both the parties were advised to approach appropriate Civil forum. Again on 13.05.2015, at about 6.00 p.m., the said Sudakar, Tamil, Olli Murugan @ Murugan, Auto Ramesh and four rowdy elements with Aruval, Iron rod came to the spot and attacked the petitioner and threatened him with dire consequences and also damaged the property worth about 50,000/-. Hence, onceagain, the petitioner lodged a complaint before the second respondent and the same was assigned C.S.R.No.89 of 2015. But no action has been taken on the said complaint till date. Hence, the petitioner has come forward with the present criminal original petition.

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

4. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.89 of 2015 has been assigned and a detailed enquiry has been conducted on the said complaint and thereafter, the said complaint has been closed.

5. In view of the submissions of the learned Additional Public Prosecutor, as the complaint given by the petitioner has already been closed, nothing survives in this petition.

6. Accordingly, this Criminal Original Petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.

vrc

s/d-
Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Thiruvallur District.

2. The Inspector of Police,
F.1 Gummudipoondi Police Station,
Thiruvallur District.

3. The Public Prosecutor,
High Court, Madras.

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CrI.O.P.No.1477 of 2016



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