

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1492 of 2016

P.Duraisamy

... Petitioner

Vs

1. The Superintendent of Police,
Tiruppur District,
Tiruppur.

2. The Inspector of Police,
Anti Land Grabbing Special Wing,
Tiruppur,
Tiruppur District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register a case on the complaint given by the petitioner dated 14.12.2015 and to proceed with the investigation according to law.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

सत्यमेव जयते

O R D E R

The present criminal original petition has been filed to direct the respondent to register a case on the complaint given by the petitioner dated 14.12.2015 and to proceed with the investigation according to law.

2. The petitioner's father Periyasamy purchased a property in Survey No.735/2 to an extent of 0.38.0 Hectare situated at Sivanmalai Village, Kangayam Taluk, Tiruppur District and the same was registered in Document No.2086/2002 dated 15.11.2002 before the Sub Registrar, Kangayam. The petitioner is having valid patta and all other revenue records

in his name to show that he is the absolute owner of the property. While so, one Senthamaraikannan and his wife Kokila, without having any right over the property, created bogus documents, as if the said Senthamaraikannan had purchased the above property from one Subbulakshi by creating forged sale deed vide document No.1830/2006 registered before the Sub Registrar, Kangeyam and he also included his name in the patta. The said Senthamaraikannan's wife S.Kokila Devi is working in the Office of Superintendent of Police, Tiruppur and her husband is also politically and financially influenced person. The above said persons threatened the petitioner with dire consequences stating that if they take any steps to recover the said property, the life of the petitioner and his family will be finished off by his henchmen. Hence the petitioner lodged a complaint before the first respondent and the same was forwarded to the second respondent. 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. The learned Additional Public Prosecutor submitted that the dispute is only with regard to the land and the petitioner is not co-operating with the enquiry. The learned counsel for the petitioner denied the same and sought for an appropriate direction.

5. Irrespective of the submissions made on either side, this court directs the second respondent to conduct enquiry on the complaint of the petitioner dated 14.12.2015 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. The petitioner is directed to co-operate with the enquiry.

6. This criminal original petition is disposed of accordingly.

-s/d-

Assistant Registrar(CSIII)

True Copy

Sub-Assistant Registrar

vrc

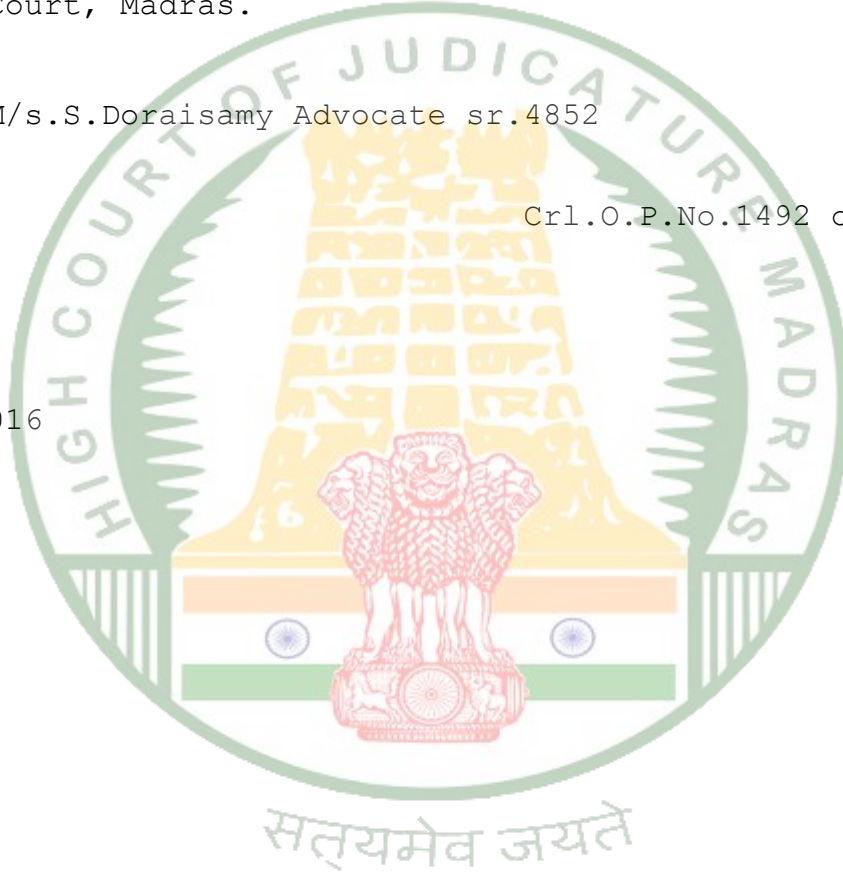
To

1. The Superintendent of Police,
Tiruppur District,
Tiruppur.
2. The Inspector of Police,
Anti Land Grabbing Special Wing,
Tiruppur,
Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.S.Doraisamy Advocate sr.4852

Cr1.O.P.No.1492 of 2016

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