

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1496 of 2016

P.Chandran

... Petitioner

Vs

The State Rep. by
The Inspector of Police,
Kothagiri Police Station,
Nilgiris District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register a case on the petitioner complaint in C.S.R.No.79 of 2015 dated 28.02.2015.

For Petitioner : Mr.P.Saminathan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the respondent to register a case on the petitioner complaint in C.S.R.No.79 of 2015 dated 28.02.2015.

2. The petitioner is residing at Door No.6/522, Rajle Range, Kogagiri, Nilgiris - 643 217. He owns 2½ cents of land in S.No.1168/2A1 in Kothagiri and he had constructed a house in the said land and is residing in the house with his family. There was a civil dispute between the petitioner and his neighbour and in this regard a civil suit is pending in S.A.No.999 of 2013 before this Court. On 28.02.2015 at about 10.30 a.m., the said Susai and his family members namely Lily, Johnson, Joly, Manju Meena, Sudha and another two unknown male members trespassed into the petitioner's house and attempted to measure the petitioner's property. When the same was questioned by the petitioner, the above said persons picked up a quarrel with the petitioner and abused him with filthy language and threatened the petitioner with dire consequences. The above said accused persons also attempted to attack the petitioner. Hence the petitioner lodged a complaint before the respondent.

Though C.S.R.No.79 of 2015 has been assigned, 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 respondent.

4. The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.79 of 2015 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made on either side, this Court directs the respondent to conduct enquiry on the complaint given by the petitioner dated 28.02.2015 in C.S.R.No.79 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law.

6. This criminal original petition is disposed of accordingly.

vrc

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Kothagiri Police Station,
Nilgiris District.
2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.P.Saminathan, Advocate SR 4713

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