

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1513 of 2016

G.Pandiyan

... Petitioner

Vs

1. State rep. by the
Inspector of Police,
T.Palur Police Station,
Ariyalur District.

2. The Superintendent of Police,
Ariyalur District,
Ariyalur.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondents to register a case based on the petitioner's complaint dated 14.10.2015 and to proceed further in accordance with law.

For Petitioner : Mr.M.Babu Muthu Meeran

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 to register a case based on the petitioner's complaint dated 14.10.2015 and to proceed further in accordance with law.

2. The petitioner has stated in the petition that he is the owner of the property to an extent of 11 acres 29 cents bearing patta No.269, situated at Devamangalam Village, Jayamgondan Taluk, Ariyalur District. Originally the above said property belong to the petitioner's father late Govindasamy. He executed a will to and in favour of the petitioner on 02.11.2006 before SRO Jayamgondan. After the death of the petitioner's father during the year 2008, the petitioner was in peaceful possession and enjoyment of the property without any hindrance.

The petitioner had planted Eucalyptus trees in the said land. While so, the petitioner's brother and one Rajangam and their henchmen cut down 19 numbers of Eucalyptus trees and committed theft to the tune of Rs.60,000/-. When the petitioner questioned the same, the accused persons threatened the petitioner with dire consequences. Hence the petitioner had lodged a complaint before the first 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. Considering the factual aspects of case, this court directs the first respondent to conduct enquiry on the complaint of the petitioner dated 14.10.2015 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.

5. This criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Inspector of Police,
T.Palur Police Station,
Ariyalur District.
2. The Superintendent of Police,
Ariyalur District,
Ariyalur.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Babu Muthu Meeran, Advocate, S.R.No.5110
CrI.O.P.No.1513 of 2016

VSN(CO)
CA(09/02/2016)