

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1565 of 2016

J.Dellimuthu

... Petitioner

Vs

State by The Sub-Inspector of Police,
D-6, Maraimalai Nagar Police Station,
Kancheepuram District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the complaint dated 12.12.2015 given to the respondent in C.S.R.No.1436 of 2015 by the petitioner and to take action against the person mentioned in the complaint and also to file a final report within a specified time.

For Petitioner : Ms.S.Murugeswari

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 the complaint dated 12.12.2015 given to the respondent in C.S.R.No.1436 of 2015 by the petitioner and to take action against the person mentioned in the complaint and also to file a final report within a specified time.

2. The petitioner is the absolute owner of the land comprised in S.No.210/2A at Ninnakarai Village, Kancheepuram District, measuring to an extent of 7 ares. The Patta stands in the name of the petitioner's father namely C.Jayaraman. The petitioner is in absolute possession and enjoyment of the above said property. The petitioner wanted to construct in the above said land. While so one Rathinambal and Ezhumalai, in collusion with each other, have been creating problems and disturbing the possession of the petitioner. They tried to take forcible possession of the property from the petitioner. On 12.12.2015, at about 8.25 a.m., the said Ezhumalai threatened the petitioner with

dire consequences. Hence the petitioner lodged a complaint with the respondent. Though C.S.No.1436 of 2015 has been assigned on the complaint of the petitioner, 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.1436 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 12.12.2015 in C.S.R.No.1436 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.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

vrc

To

1.The Sub-Inspector of Police,
D-6, Maraimalai Nagar Police Station,
Kancheepuram District.

2. The Public Prosecutor,
High Court, Madras.

1 cc to Mr.S. Murugeshwari, Advocate, Sr. 5615

Cr1.O.P.No.1565 of 2016

KK (CO)
kk 9/2