

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

Crl.O.P No.2239 of 2015

S.Govindaraj .. Petitioner
Vs.

1. The State by
The Additional Director General of Police
Law & Order,
Mylapore, Chennai - 600 005.

2. The State by
The Inspector of Police
Kelambakkam Police Station,
Chennai. ... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents police to register the petitioner's complaint, dated 21.05.2014 and file the final report.

For Petitioner : Mr.S.Anburaja

For Respondents : Mr.D.Sivaramkumar
Govt. Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed under Section 482 of Code of Criminal Procedure, 1973 praying to direct the respondents police to register the petitioner's complaint, dated 21.05.2014 and file the final report.

2. Heard both sides.

3. It is averred in the petition that one Mr.C.N.Arumugam, executed power of attorney deed appointing one Santhakumari as power agent on 26.10.1990 in Doc.No.706/1990 for the sale of his property in S.No.319 in Padur Village. The power agent, executed a sale deed, pursuant to the above power of attorney deed in favour of her husband Srinivasan on 07.03.2008, selling the said property, i.e., S.No.319 and subsequently, she executed a rectification deed on 28.08.2008, correcting survey number as 320/6 and 308/2B. The properties in the above said two survey numbers belong to the petitioner and thus, a complaint, dated 21.05.2014 was preferred by the petitioner about cheating of his property before the respondents police and no action has been initiated by the police. Therefore, the present Original Petition has been filed.

4. Learned Government Advocate submits that the second respondent has not received the complaint of the petitioner, dated 21.05.2014. It is seen from the Original Petition as well as in the typed set that complaint was presented before the first respondent / Additional Director General of Police and even in paragraph 5 of the petition, it has been clearly stated that enquiry was conducted by the second respondent police and the same has not been controverted by the respondents police.

5. In the above circumstances, the second respondent police is directed to peruse the contents of the complaint of the petitioner, dated 21.05.2014 and register the case, if cognizable offences are made out and proceed further as per law, within a period of two months from the date of receipt of a copy of this order.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar (CS J)

/true copy/

Sub Asst. Registrar

To

1. The Additional Director General of Police
Law & Order,
Mylapore, Chennai - 600 005.
2. The Inspector of Police
Kelambakkam Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras, Chennai.

+1 cc to Mr.S.Anburaja, Advocate,Sr.38060.

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