

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.KALAIYARASAN

Cr1.O.P.No.2329 of 2015

Geetha

.. Petitioner

Vs.

- 1.The Superintendent of Police,
Kancheepuram,
Kancheepuram District.
- 2.The Deputy Superintendent of Police,
Maduranthakam Circle,
Maduranthakam,
Kancheepuram District.
- 3.The Inspector of Police,
Melmaruvathur Police Station,
Maduranthakam Taluk,
Kancheepuram District.
- 4.The Sub Inspector of Police,
Sithamur Police Station,
Sithamur,
Kancheepuram District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to direct the respondents to register the case based upon the petitioner's complaint dated 20.11.2014 followed by representation dated 08.12.2014 and to deal with same in accordance with law.

For petitioner : Mr.S.Udayakumar

For respondents : Mrs.M.F.Shabana
Govt. Advocate (Cr1. Side)

O R D E R

This petition has been preferred by the petitioner before this Court after invoking the proviso to Section 482 of Cr.P.C., to direct the respondent police to register a case, on the basis of the petitioner's complaint dated 20.11.2014 followed by a representation dated 08.12.2014.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) appearing for the respondents

3.It is averred in the petition that the petitioner acquired the property through his mother under Settlement Deed dated 08.07.2005. His bother R.Vijayakumar had illegally trespassed into her property and cut off all the 72 trees worth about Rs.15 lakhs and sold them illegally without getting any consent from the petitioner. It is further averred that she lodged a complaint with the fourth respondent and also made a representation to the higher officials. Since no action has been taken by the respondents, she has come forward with this petition, seeking a direction to the respondent police to register the case.

4.The learned Government Advocate (Crl. Side) submits that the complaint was treated as petition and after due enquiry, the petition was closed as it is purely civil in nature.

5.The dispute is between sister and brother over the land and standing trees in that land. The petitioner claims right over the property under the Settlement Deed dated 08.07.2005 and patta. The title and possession of the property is to be decided only in the Civil Court and since the dispute between them is purely civil in nature, this Court does not find any merit to interfere under the inherent jurisdiction. Therefore, the Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

DP

To

- 1.The Superintendent of Police,
Kancheepuram,
Kancheepuram District.
- 2.The Deputy Superintendent of Police,
Maduranthakam Circle,
Maduranthakam,
Kancheepuram District.
- 3.The Inspector of Police,
Melmaruvathur Police Station,
Maduranthakam Taluk,
Kancheepuram District.

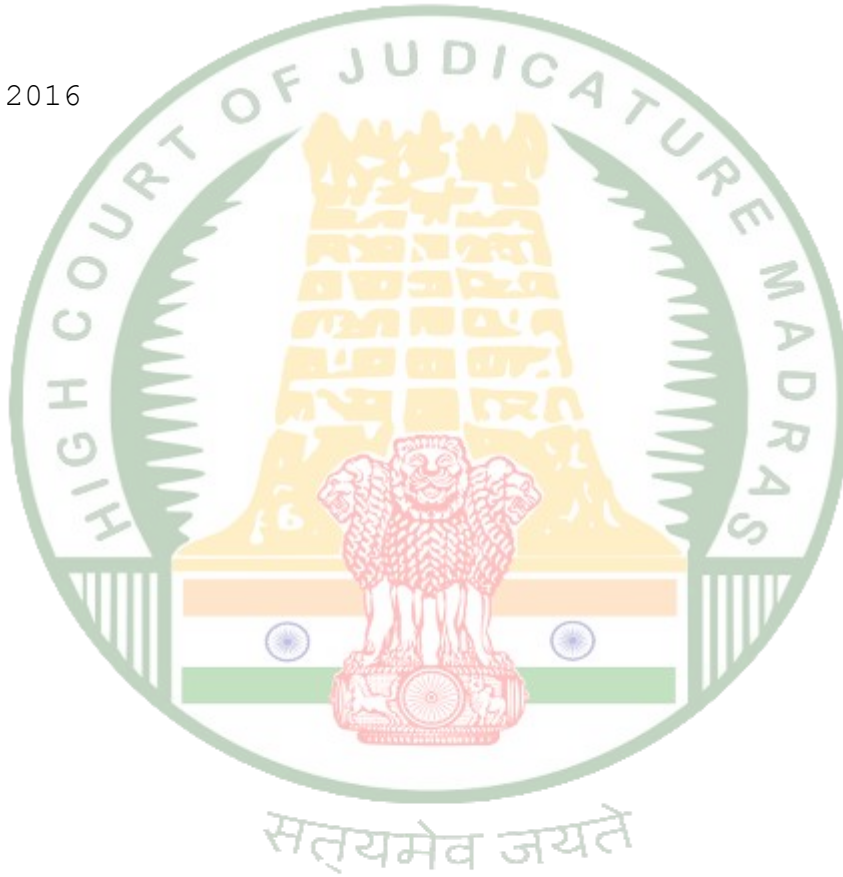
4.The Sub Inspector of Police,
Sithamur Police Station,
Sithamur,
Kancheepuram District.

5.The Public Prosecutor,
High Court, Chennai.

1 cc to Mr.S.Udayakumar, Advocate, sr.33951

Cr1.O.P.No.2329 of 2015

j sv co
kra 28.06.2016



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