

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29894 of 2015 &
M.P.Nos.305 and 306 of 2016

P.S.Theleep Kumar

... Petitioner

Vs

1. The Commissioner of Police,
Greater Chennai,
Chennai.

2. The Inspector of Police,
Anna Nagar,
Chennai.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the second respondent to register the petitioner's complaint dated 20.10.2015 and file a FIR and to enquire the matter by the second respondent in accordance with law.

For Petitioner : Mr.M.Madhu Prakash

For Respondents : Mr.M.Mohamed Riyaz,
Govt. Advocate (Cr1. Side)

ORDER

The present criminal original petition has been filed to direct the second respondent to register the petitioner's complaint dated 20.10.2015 and file a FIR and to enquire the matter by the second respondent in accordance with law.

2. The petitioner is working as the Manager Operation at M/s.Ampa Skywalk since 4 years. The said Ampa Skywalk is an Entertainment Mahal which has Theater, Food Court, Children play

area and many more. The petitioner's role is to take care of all the activities in the day to day affairs of the Mahal. The entire property belong to one Mr.A.M.P.Arunachalam, to an extent of totally 23 grounds and out of 23 grounds, 2 ½ grounds was kept vacant and the other portion was totally constructed. The vacant area was compounded on three sides and opened on the road facing side. Since it is a vacant plot on the road side, some people used to park their vehicles while going out for shopping in the Nelson Manikam Road. While so, some private load vehicles started parking in the vacant plot regularly. When it was questioned by the staff in the beginning, the people who parked the vehicle promised to remove it immediately. But the vehicles were not removed from that place. When the petitioner approached one Ilayaperumal, Venugopal, R.Jayalakshmi, D.Sasi Kumar, Rathanam and B.T.Joseph, to remove their vehicles, they refused to do so. They threatened the petitioner and started giving trouble to the petitioner. Hence the petitioner lodged a complaint against the said persons. The Inspector of Police enquired the above said persons and at that time they promised to remove the vehicles immediately. Thereafter, the petitioner filed a suit for permanent injunction against the said persons. When the suit is pending, the said persons are trying to take illegal possession of the property. The above said persons have not only trespassed into the property but also threatening the petitioner. Though the said complaint was lodged on 20.10.2015, till date no action has been taken on the complaint of the petitioner. 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 Government Advocate (Criminal Side) appearing for the respondent.

4. When the matter was taken up for consideration, the learned Government Advocate (Criminal Side) submitted on receipt of the complaint of the petitioner, C.No.3393 of 2015 has been assigned and a detailed enquiry has been conducted on the complaint of the petitioner and thereafter, the said complaint was closed on 31.12.2015. He also produced a copy of the closure report before this Court.

5. In view of the submissions made on either side, as the complaint given by the petitioner has already been closed, nothing survives in this petition and this Criminal Original Petition is closed with liberty to the petitioner to work out

his remedy under section 156(3) Cr.P.C. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

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Sub Assistant Registrar

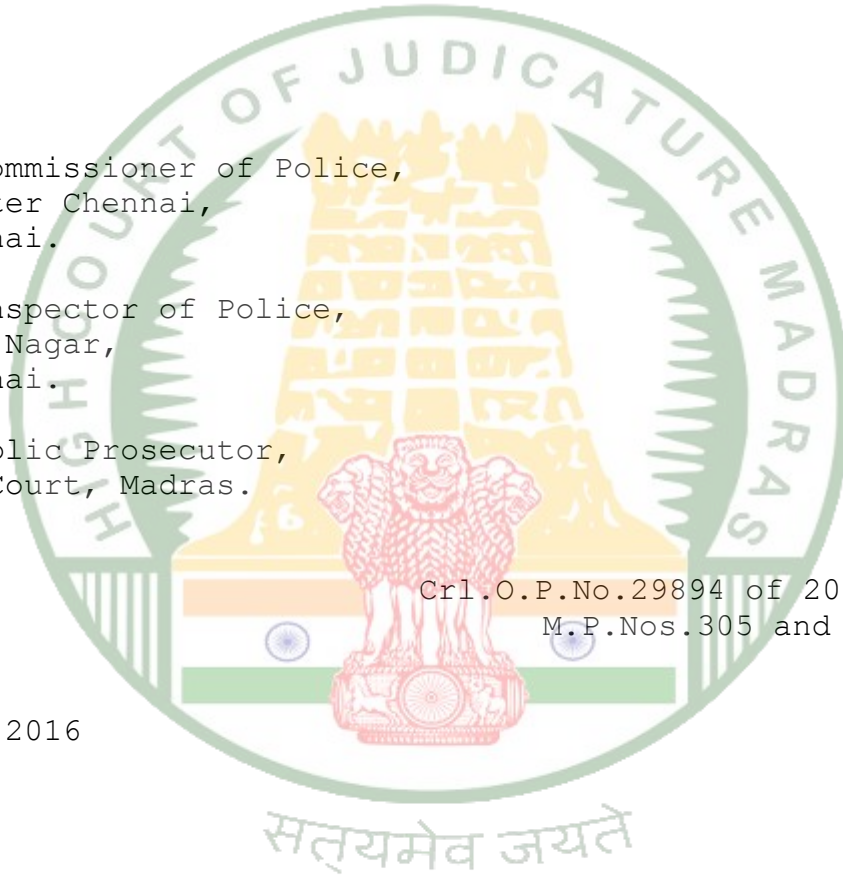
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To

1. The Commissioner of Police,
Greater Chennai,
Chennai.
2. The Inspector of Police,
Anna Nagar,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

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KRA 29.01.2016



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