

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.18316 of 2016

K.M.Ramsamy

..Petitioner

Vs

1.The Superintendent of Police,
Salem District,
Salem.

2.The Sub Inspector of Police,
Sankari Police Station,
Sankari, Salem District

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents police to register the FIR and to take necessary action on the petitioner's complaint dated 29.02.2016 to the 2nd respondent and complaint dated 08.03.2016 to the 1st respondent against the culprits in accordance with law effectively.

For Petitioner : Ms.S.Hemalatha

For Respondents : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

This petition has been filed to direct the respondents to register an FIR on the complaints dated 29.02.2016 and 08.03.2016, given by the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned counsel for the petitioner submitted that the petitioner is a handicapped person and that the opposite parties are planting trees in the common pathway and creating nuisance.

4. In a case of this nature, no positive direction can be issued to the respondent-Police to register an FIR as the complaint does not disclose commission of a cognizable offence.

However, it is seen that the petitioner has given a complaint by post. The petitioner is directed to appear before the second respondent police along with this order and lodge a fresh complaint, containing the very same contents as stated in the previous complaints dated 29.02.2016 and 08.03.2016. The second respondent is directed to call both the parties and conduct enquiry into the matter and advise them accordingly.

With the above direction, this Criminal Original Petition is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

dpq/ds

To

1.The Superintendent of Police
Salem District
Salem.

2.The Sub Inspector of Police,
Sankari Police Station,
Sankari, Salem District.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to M/s. S. Hemalatha, Advocate Sr.No. 49171

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GR (CO)

MD : 19/09/2016

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