

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.18419 of 2016

JM.Muralidharan

...

Petitioner

Vs

1.The Deputy Commissioner of Police,
St.Thomas Mount,
Chennai - 600 016.

2.The Inspector of Police
S-14, Peerankaranai Police Station,
Srinivasa Nagar,
Chennai - 600 063.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent to register the petitioner's complaint dated 21.07.2016 pending on the file of the Inspector of Police, S14, Peerankaranai Police Station, Srinivasa Nagar, Chennai - 600 063.

For Petitioner	:Mr.M.Balasubramanian
For Respondents	:Mr.C.Emalias, Additional Public Prosecutor
For Intervenor	:Mr.S.V.Vijay Prashanth for (Mr.Gopal Pillai)

ORDER

This Criminal Original Petition has been filed to direct the second respondent to register the complaint dated 21.07.2016, given by the petitioner, pending before the second respondent.

2. Heard Mr.M.Balasubramanian, learned counsel appearing for the petitioner; Mr.C.Emalias, learned Additional Public Prosecutor appearing for the respondents and Mr.S.V.Vijay Prashanth for Gopal Pillai (Intervenor)

3. It is seen that this petitioner has sent a complaint dated 21.07.2016 by post to the Deputy Commissioner of Police, St.Thomas Mount, Chennai-16, alleging that one Gopal Pillai is trying to dispossess him from the property comprised in Survey

No.236/1B and 234 of Perungalathur Village, Tambaram Taluk, Kancheepuram District. After having sent the complaint by post, the petitioner is before this Court for a direction to the respondents to register an FIR on the said complaint.

4. When the matter is taken up for hearing, Mr.S.V.Vijay Prashanth, learned counsel entered appearance for Gopal Pillai and submitted that Gopal Pillai is the owner of the property in Survey No.236/1B of Perungalathur Village, Tambaram Taluk and that it is Muralidharan, who has been consistently trying to dispossess Gopal Pillai from the property.

5. In this case, the learned counsel for Gopal Pillai brought to the notice of this Court the judgment and decree passed by the District Munsif, Tambaram in four suits between Gopal Pillai and Muralidharan viz., O.S.No.88 of 2006, O.S.No.247 of 2008, O.S.No.61 of 2010 and O.S.No.106 of 2010, in which the judgment and decree dated 30.06.2016 is in favour of Gopal Pillai and it is against Muralidharan. Suppressing all these, Muralidharan has sent the present complaint alleging that Gopal Pillai is trying to dispossess him.

6. In the considered opinion of this Court, no direction as prayed for by Muralidharan in Crl.OP.No.18419 of 2016 can be granted. However, the respondent-Police is directed to conduct enquiry on the complaint given by Gopal Pillai in CSR.No.239 of 2016 and ensure that Gopal Pillai is protected from any dispossession of the said property by Muralidharan or any one claiming through him.

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

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ds

1.The Deputy Commissioner of Police,
St.Thomas Mount,
Chennai - 600 016.

2.The Inspector of Police
S-14, Peerankaranai Police Station,
Srinivasa Nagar,
Chennai - 600 063.

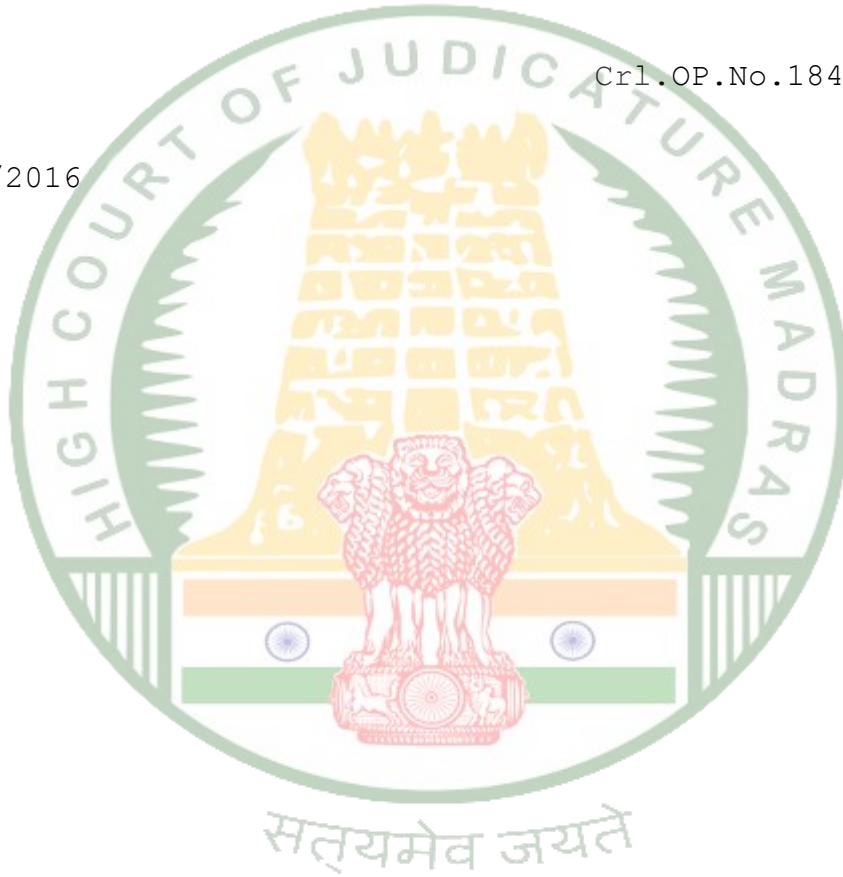
3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Balasubramanian, Advocate SR.48834

+1cc to Mr.S.VijayPrasanth, Advocate Sr.49366

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