

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.KALAIYARASAN

Crl. O.P.No.6303 of 2015

B.Arumugam

.. Petitioner

Vs.

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

2.The Sub-Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram,
Kanchipuram District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to direct the respondents to register a case on the petitioner's complaint dated 31.10.2014.

For petitioner : Mr.G.Senthilkumar

For respondents: Mr.D.Sivakumar

Govt. Advocate (Crl. 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 respondents to register a case on the petitioner's complaint dated 31.10.2014.

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

3. It is averred in the petition that the properties of one Parthasarathy Naicker were partitioned among his sons namely, Bakthavatchala Naicker, Balu Naicker, Rajamanicka Naicker, Gopi Naicker through a partition deed dated 24.1.1977. The petition mentioned property has been allotted to the father of the petitioner, Bakthavatchala Naicker. With intention to grab the property allotted to the father of the petitioner, the legal heirs of Balu Naicker, namely his wife Suguna, son Kumar and daughters Ellammal and Geetha, have executed a sale deed in favour of one Ulagaratchagan. Hence, the petitioner preferred a complaint before the respondent

police. But no action has been taken by the respondent police. Hence, the petitioner has filed the present petition.

4. The learned Govt.Advocate (Crl.side) submits that on the complaint given by the petitioner dated 02.02.2015, due enquiry has been conducted and the same was closed as it is civil in nature. He further submits that the civil suit is also pending between the parties.

5. Considering the submissions of the learned Govt.Advocate (Crl.side), this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Superintendent of Police,
Kanchipuram,
Kanchipuram District.
- 2.The Sub-Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram,
Kanchiupuram District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.G. Senthilkumar, Advocate, S.R.No.42238

AD(CO)
EU(08/08/2016)

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