

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.19110 of 2016

M.C.Vijayakumar

... Petitioner

Vs

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

2.The Deputy Superintendent of Police,
Ponneri,
Ponneri Taluk,
Thiruvallur District.

3.The Inspector of Police,
Cholavaram Police Station (Crime),
Cholavaram,
Chennai - 600 067.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the third respondent to register the petitioner's complaint dated 27.07.2013 in accordance with law.

For Petitioner : Ms.R.Aparna

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

ORDER

This petition has been filed to direct the third respondent to register the petitioner's complaint dated 27.07.2013 in accordance with law.

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

3. On reading of the complaint dated 27.07.2013, it is seen that the petitioner had entered into a sale agreement with the opposite party on 06.04.2011 and had paid advance of Rs.10,00,000/- . According to the petitioner, he was put in

possession of the property and thereafter, some disputes appear to have arisen with regard to the ownership of the property between the petitioner and one Mrs.Bujjammal. Then a fresh agreement was entered into on 21.12.2011. Ms.Vijayalakshmi and Mr.Vikram also executed power of attorney in favour of Mrs.Bujjammal. On the strength of the power of attorney, the sale was executed by Mrs.Bujjammal.

4.On the allegation that one Mr.Ramachandran is threatening the petitioner, the petitioner earlier filed Crl.O.P.No.15935 of 2013 before this Court. By order dated 30.07.2013, this Court directed the petitioner to co-operate with the third respondent for enquiry and the third respondent was further directed to conduct an enquiry on the petitioner's complaint and proceed further in accordance with law.

5.Again the petitioner filed a petition in Crl.O.P.No.19971 of 2013 before this Court. By order dated 02.09.2013, this Court directed the Inspector of Police, Cholavaram Police Station (crime), Cholavaram, Chennai, to register a case based on the petitioner's complaint dated 27.07.2013 and also directed the complainant to appear before the respondent on 10.09.2013, in default, the Investigating Officer shall take further action in accordance with law.

6.Now, the allegation of the petitioner is that he appeared before the respondent Police however, he was not enquired and therefore, he has come up with this Criminal Original Petition.

7.This is the third petition. As stated above, the allegations in the complaint dated 27.07.2013 appears to be civil in nature and hence, no positive direction can be issued to the police to register a case. Accordingly, this petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jbm

To

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

2.The Deputy Superintendent of Police,
Ponneri,
Ponneri Taluk,
Thiruvallur District.

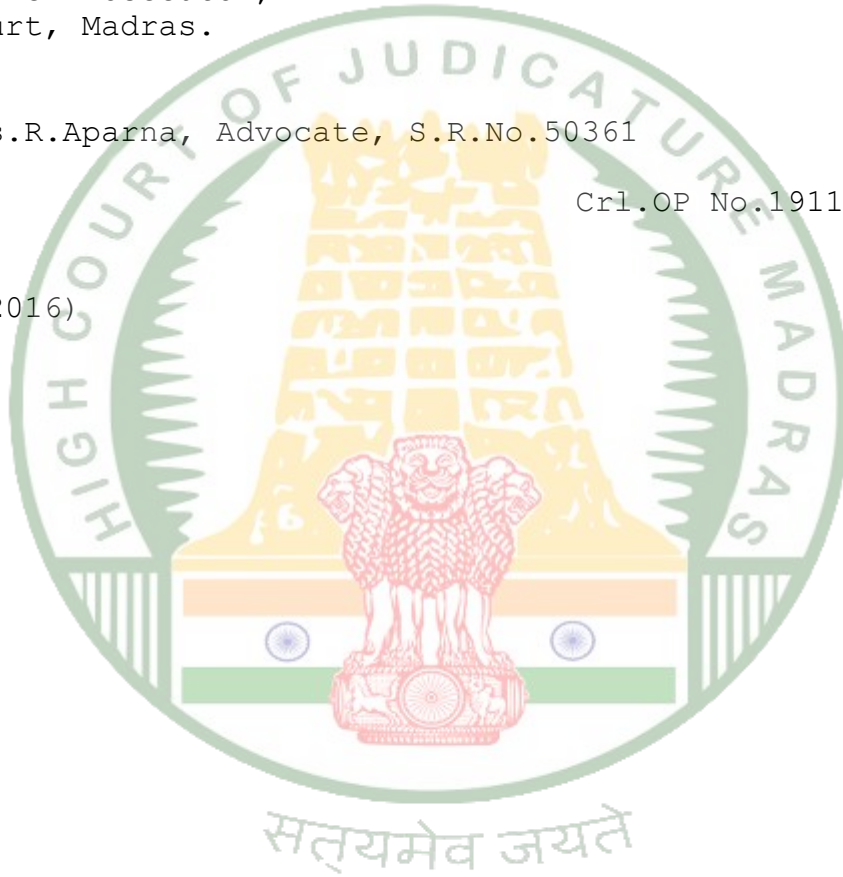
3.The Inspector of Police,
Cholavaram Police Station (Crime),
Cholavaram,
Chennai - 600 067.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Ms.R.Aparna, Advocate, S.R.No.50361

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KGK(CO)
CA(22/09/2016)



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