

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.32244 of 2013
& M.P. No. 1/2010

Devi

... Petitioner

Vs.

1. The State Represented by
The Commissioner of Police,
Egmore, Chennai - 600 008.

2. The Inspector of Police,
Kilpauk Police Station,
Chennai - 600 010.

... Respondents

Petition filed under Section 482 of Cr.P.C., to direct the second respondent to register the complaint of the petitioner dated 23.11.2013 and investigate the same in accordance with law.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Ms.Saradadevi

Government Advocate(Criminal Side)

O R D E R

The matter is listed today without E.B.

2. This petition has been filed to direct the second respondent to register the complaint of the petitioner dated 23.11.2013 and investigate the same in accordance with law.

3. The case of the petitioner is that the petitioner is a tenant under one Mohamed Basuldin Iqbal for over 18 years. In order to evict the petitioner, the landlord adopted wrongful methods and he foisted a complaint against the petitioner before the Inspector of Police, Kilpauk Police Station and hence, the petitioner, her husband and son were arrested for the offences under sections 341, 294(b), 323, 324, 427 and 506(i) IPC. Thereafter, the petitioner and her family members have been illegally evicted from the premises. Therefore, the petitioner lodged a complaint before the Inspector of Police, Kilpauk Police Station against the landlord. Since the Inspector of

police has not registered the complaint preferred by the petitioner, the present petition has been filed.

4. It is to be noted that if the complaint given by the petitioner has not been registered, the remedy open to the petitioner is to file a complaint before the concerned Superintendent of Police for taking necessary action under section 154(4) of Code of Criminal Procedure. Even after that, if no action was taken on the said complaint, the petitioner shall file a complaint before the jurisdictional Magistrate under section 156(3) of Code of Criminal Procedure and work out his remedy in the manner known to law. Without invoking the above remedies, the petitioner filing this petition under section 482 Cr.P.C. before this Court is not maintainable.

5. In view of the same, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions, if any, are closed.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

vrc
To

1. The State Represented by
The Commissioner of Police,
Egmore, Chennai - 600 008.
2. The Inspector of Police,
Kilpauk Police Station,
Chennai - 600 010.
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

WEB COPY

CrI.O.P.No.32244 of 2013

EV(CO)
SP(11/02/2020)