

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.25 of 2016

E.Natarajan

... Petitioner

Vs

State By

The Inspector of Police,
B-3, Magaral Police Station,
Walajabad Taluk,
Kanchipuram District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to file a final report in Crime No.67 of 2011 on the file of the Inspector of Police, B-3, Magaral Police Station, Walajabad Taluk, Kanchipuram District.

For Petitioner : Mr.G.K.Sekar

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

सत्यमेव जयते
O R D E R

This petition has been filed to file a final report in Crime No.67 of 2011 on the file of the respondent Police.

2. The petitioner is the senior citizen. The survey No.89/1 situated at No.200, Melputtur Village, Kanchipuram Taluk was owned by one Venkataramaiyer. For the benefit of common use of the village, Venkataramaiyer had executed a settlement deed in favour of the Asoor Village Panchayat to construct hospital and common grain storage place. The settlement deed dated

27.12.1972 was registered vide document No.2982/1972 in the office of Sub-Registrar, Walajabad. Whileso, one Kanniappan who was the then President of the Village Panchayat, by taking advantage of the post, allowed one Rukku, W/o Sakkarapani and Sundararajan to grab the property. The entire village people objected the same. In spite of the same, the said Rukku and Soundararajan have encroached the land belongs to Asoor Village panchayat. Hence, a complaint was lodged on 14.02.2010 but no action was taken. Hence, the petitioner filed Crl.O.P.No.19738 of 2010 before this Court and this Court had ordered to register a case on the complaint dated 14.02.2010. Even then, no action was taken. Thereafter, on 01.12.2010, the petitioner sent legal notice to the respondent to take action against the accused persons but no action was taken. The petitioner again filed Crl.O.P.No.24001 of 2011 before this Court and this Court passed an order directing the respondent to complete the investigation and file a final report as expeditiously as possible. Even after the direction of this Court, no action was taken. Hence, the petitioner has come forward with the present petition.

3. Today, when the matter is taken up for consideration, learned Additional Public Prosecutor filed the status report stating that during the course of investigation, the Sub-Inspector of Police has given a requisition letter to the Village Administrative Officer, Melputhur Village, for furnishing the copies of the documents related to this case. The V.A.O., had given a reply to the respondent police stating that on perusal of the available records, he came to know that for the disputed land, patta stands in the new patta Nos. 89/59 and 89/58 and the connected records for the new patta number is not available in his office and directed the respondent police to approach the Tahsildar, Kancheepuram, in this regard. Hence, the Sub-Inspector of Police, sent a requisition letter to Tahsildar, Kancheepuram. So far, they have not received the reply. Once, they receive the reply from the Tahsildar, they would proceed with further investigation.

4. Considering the facts and circumstances of the case, this Court is constrained to pass the following order.

The respondent police is directed to send a reminder to the Tahsildar, Kancheepuram Taluk and also to Tahsildar, **Walajabad Taluk*** with regard to the particulars of the disputed property. On receipt of the said particulars, the respondent police is directed to expedite the investigation and file a final report as early as possible.

5. The Criminal Original Petition is disposed of accordingly.

vsi

Sd/-

Assistant Registrar (CS II)
dt. 4.02.2016

Corrected as per order of this
Court dated 30.3.2016 made
in CrI.OP.NO.25/16.

Sd/-

Assistant Registrar (IV)
dt. 28.04.2016

/TRUE COPY/

Sub-Assistant Registrar

To

1. The Inspector of Police,
B-3, Magaral Police Station,
Walajabad Taluk,
Kanchipuram District.

To be substituted the
order already despatched
on 12.2.2016

2. The Public Prosecutor,
High Court, Chennai.

+1CC to MR.G.K.SEKAR Advocate SR.NO.3669

सत्यमेव जयते

CrI.O.P.No.25 of 2016

KK[CO]

MK : 05/02/2016

EU 28.04.2016

WEB COPY