

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.3886 of 2016

Mrs.Anuradha Ravi

... Petitioner

Vs.

1.The Commissioner of Police
Greater Chennai
Vepery, Chennai - 600 007.

2.The Deputy Commissioner of Police
Anti Land Grabbing Cell - II,
Vepery, Chennai - 600 007. ... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue direction to the respondents to register the complaint of the petitioner dated 07.07.2015 pending on the file of the 2nd respondent.

For Petitioner : Mr.K.Elangoo

For Respondents: Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondents to register the complaint of the petitioner dated 07.07.2015 pending on the file of the 2nd respondent.

2.The learned counsel for the petitioner submitted that the proposed accused has entered into a sale agreement for total consideration of Rs.10,25,000/- and received Rs.6,00,000/- as advance, but he has not executed sale deed. Hence, one Sundaram filed a suit on the file of this Court which is pending. Whiles, the counter petitioner has sold the property in favour of one Gopalakrishnan who in turn filed a suit bearing O.S.No.205 of 2010 on the file of the Sub Court of Poonamallee against the legal heirs of Namalvar who is the real owner of the property. But even though the petitioner herein has come with a complaint stating all the aspects, the respondent police has not

shown any interest to enquire the matter and register the case. Hence, the petitioner has come forward with this petition for the above stated relief.

3.At this juncture, the learned Additional Public Prosecutor, on instructions, would submit that the complaint given by the petitioner was assigned C.No.1323 of 2015 and on the basis of the complaint given by the petitioner, a case in Crime No.56 of 2011 was registered for the offence punishable under Sections 468, 471, 420 r/w 34 of I.P.C. and after investigation RCS was filed as mistake of fact and it was closed on 28.10.2015. The petitioner also filed protest petition and hence, he prayed for dismissal of the petition.

4.Considering the rival submissions made on both sides, it is admitted fact that the property belonging to one Gopalakrishnan from whom Namalvar purchased the same from the legal heirs of Namalvar. Now, Gopalakrishnan filed a suit in O.S.No.205 of 2010. Hence the petitioner has come forward with this petition. Recording the submissions of the learned Additional Public Prosecutor, this Criminal Original Petition is dismissed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

pri

To

1.The Commissioner of Police
Greater Chennai
Vepery, Chennai - 600 007.

2.The Deputy Commissioner of Police
Anti Land Grabbing Cell - II,
Vepery, Chennai - 600 007.

3.The Public Prosecutor
High Court, Madras.

+1 cc to Mr.K.Elango Advocate sr.25117

Cr1.O.P.No.3886 of 2016

gjII(co)
aa09/05/2016