

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.4152 of 2016

E.Ramanathan

.. Petitioner

Vs.

The Deputy Commissioner of Police
Crime and Traffic
Salem City Police
Salem-636 006.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register a case on the basis of the complaint lodged by the petitioner dated 24.01.2016 and to proceed with the investigation according to law.

For Petitioner :Mr.S.Doraisamy

For Respondent :Mr.C.Emalias
Addl. Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking a direction to the respondent to register a case pertaining to the petitioner's complaint dated 24.01.2016 and investigate the same in accordance with law.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint against one A.Sundararajan, the then Superintendent, Postal Department, Salem and on that basis, a case in Crime No.10 of 2012 has been registered for an offence under Section 420 IPC and subsequently, the same was quashed. But no notice was served to the petitioner, who was the defacto complainant in the quash petition. Hence, the petitioner has given another complaint before the respondent on 24.01.2016. But the respondent has not taken any steps to enquire the matter and register the case. Therefore, 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 since the petitioner was dismissed from service on the basis of the disciplinary proceedings initiated against him by the counter

petitioner, he had given the complaint and on that basis, a case has been registered in Crime No.10 of 2012 for offence under Section 420 IPC. He would further submit that during investigation, the counter petitioner has filed the quash application in Crl.O.P.No.31994 of 2013 and the proceedings in Crime No.10 of 2012 was quashed by this Court. Now the petitioner has given another complaint and to verify the same, the respondent has sent a communication to the Postal Department, Salem, to ascertain whether averment in the complaint is true. Because in the complaint dated 24.01.2016, it was stated that in the year 2011, the counter petitioner had given false T.A.bills claiming amount to the tune of Rs.1,01,875/- and the report is yet to be received. It is further submitted that the petitioner has given nearly 36 complaints against his superior.

4.Considering the rival submissions made on both sides, I am of the view that the petitioner with a malafide intention to take vengeance against his superior, has lodged the series of complaints. Under such circumstances, I do not find any merits in the petition. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

kj

To

1.The Deputy Commissioner of Police
Crime and Traffic
Salem City Police
Salem-636 006.

2.The Public Prosecutor
High Court, Chennai.

+ 1 cc to M/s. S. Dorai Samy, Advocate Sr.26591

Crl.O.P.No.4152 of 2016

AD(CO)
EU 10.05.16