

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.495 of 2016

P.Ramaiah

.. Petitioner

Vs.

1.The Commissioner of Police
City Police Commissioner Office
Vepery, Chennai-7.

2.Inspector of Police
R2 Kodambakkam police station
Kodambakkam, Chennai-24. .. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register the complaint on the petition dated 18.11.2015 submitted by the petitioner.

For Petitioner : Mr.S.Radhakrishnan

For Respondents :Mr.S.Shanmugavelayutham
Public Prosecutor (State)

ORDER

The petitioner has come forward with this petition seeking for a direction to the second respondent to register a case pertaining to the petitioner's complaint dated 18.11.2015.

2.Heard the learned counsel for the petitioner as well as the learned Public Prosecutor (State).

3.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 18.11.2015 stating that when the petitioner was away from the place, his house has been demolished. But the respondents have not shown any interest to enquire the matter and register the case. Therefore, he has come forward with this petition for the above stated relief.

4.At this juncture, learned Public Prosecutor (State) submits that on the basis of the complaint given by one Kamalakannan, who is the landlord, C.S.R.No.461 of 2015 has been assigned on 20.11.2015. The counter complaint has been given by the petitioner, for which, C.S.R.No.465 of 2015 has been assigned. Both the complainants were called for enquiry. Since the dispute is between the landlord and tenant and it appears to be civil in nature, both the parties were directed to approach the civil forum. He further submits that closure report has also furnished to the petitioner.

5.The above submission made by the learned Public Prosecutor (State) is recorded. On the basis of the complaint given by the petitioner, C.S.R.No.465 of 2015 has been assigned and on the basis of the complaint given by the said Kamalakannan, C.S.R.No.461 of 2015 has been assigned. Both the cases were enquired and closed with a direction to the parties to approach the civil forum, since the dispute is between the landlord and tenant. Therefore, the Criminal Original Petition is disposed of. The petitioner has every right to work out his remedy by approaching appropriate forum.

kj

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Commissioner of Police
City Police Commissioner Office
Vepery, Chennai-7.

2.Inspector of Police
R2 Kodambakkam police station
Kodambakkam, Chennai-24.

3.The Public Prosecutor, High Court, Chennai.

+ 1 cc to The Public Prosecutor, High Court, Chennai.SR 11042

KR/26/2/16

Cr1.O.P.No.495 of 2016