

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.667 of 2016

K.Mahadevan
S/o.Kaliyaperumal,
Secretary, Primary Agricultural
Co-op Credit Society,
Narthangudi, Valangiman Taluk,
Tiruvavarur District. Petitioner

Vs

1. State of Tamil Nadu
rep. by The Inspector of Police,
Valangaiman Police Station.
2. The Secretary,
T-1344, Needamangalam Primary
Agricultural Co-op Credit Society,
Needamangalam,
Thiruvavarur District.
3. D.Sivakumar Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. seeking a direction to the first respondent to take
suitable action on the complaint of the petitioner dated
19.11.2015 and register FIR against the third respondent within
a specified time fixed by this Court.

For Petitioner : Mr.B.Bhiman

For 1st Respondent: Mr.C.Emalias
Additional Public Prosecutor

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O R D E R

The present criminal original petition has been filed
to direct the first respondent to take suitable action on the
complaint of the petitioner dated 19.11.2015 and register FIR
against the third respondent within a specified time fixed by
this Court.

2. The petitioner herein has lodged a complaint on 19.11.2015 as against the third respondent stating that the third respondent by producing certificates for the very same property availed loan twice from the petitioner and the second respondent. Hence, the petitioner lodged a complaint before the first respondent. But no action has been taken on the said complaint till date. Hence, the petitioner has come forward with the present criminal original petition.

3. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the first respondent.

4. The learned Additional Public Prosecutor submitted that it is for the petitioner to verify all the records before sanctioning the loan and without doing so, he has sanctioned the loan to the third respondent. Now the question of registering a criminal case does not arise and therefore, they have to work out the remedy in the manner known to law. However, he submitted that, on receipt of the complaint of the petitioner, C.S.R.No.259 of 2015 has been assigned and the matter is pending for enquiry.

5. Considering the the submissions made on either side, this Court directs the first respondent to conduct enquiry on the complaint given by the petitioner dated 19.11.2015 in C.S.R.No.259 of 2015 and dispose the same in accordance with law.

6. This criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar(CO)

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Sub Assistant Registrar

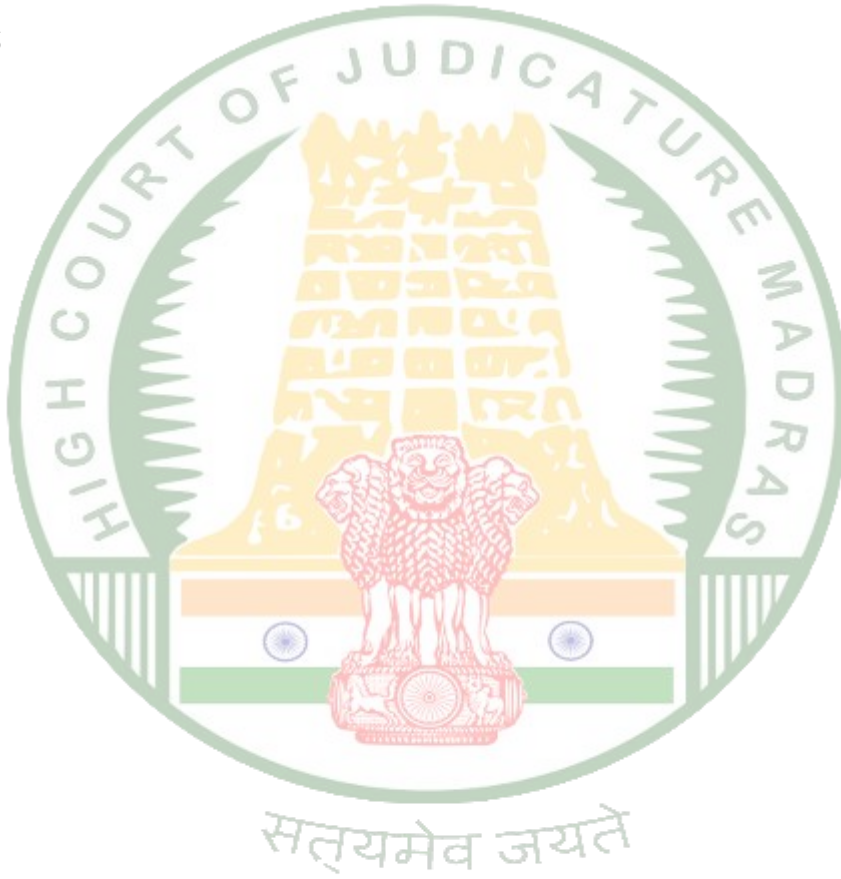
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To

- 1.The Inspector of Police,
Valangaiman Police Station.
2. The Public Prosecutor,
High Court, Madras.

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