

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.6959 of 2016

and

Cr1.M.P.No.4667 of 2016

E.Shantha

... Petitioner

Vs.

The State rep. by
The Inspector of Police
G-3 Melmaruvathur police station
Kancheepuram District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register a case based on the petitioner's complaint dated 15.03.2016 and investigate the same in accordance with law.

For Petitioner : Mr.K.Thilagaraj

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

For Intervenor : Mr.R.Gopinath

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 15.03.2016 and investigate the same in accordance with law.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 15.03.2016. But the respondent 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 on receipt of

the complaint given by the petitioner, C.S.R.No.98 of 2016 has been assigned. The petitioner and the counter petitioner are claiming title over the property and also demolished the compound wall. Hence, the case has been registered in Crime No.83 of 2016 under Section 107 Cr.P.C. He would further submit that since both the groups are claiming same property, R.D.O. enquiry is pending.

4.Recording the submissions made by the learned Additional Public Prosecutor, the Criminal Original Petition is disposed of. The petitioner is directed to approach appropriate forum to work out his remedy. Since this petition is for issuing a direction to the respondent to register the case and the F.I.R. is yet to be registered, there is no stand for the intervenor to agitate the matter before the case has been registered. Hence, the petition in CrI.M.P.No.4667 of 2016 stands dismissed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police
G-3 Melmaruvathur police station
Kancheepuram District.

2.The Public Prosecutor
High Court, Chennai.

+1cc to Mr.R.Gopinath, Advocate, S.R.No.25021 (13.06.2016)

CrI.O.P.No.6959 of 2016
and
CrI.M.P.No.4667 of 2016

JSV(CO)
CA(05/05/2016)

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