

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.7789 of 2016

K.Mohanasundharam

... Petitioner

Vs

State rep by

1.The Commissioner of Police,
Commissionerate, Greater Chennai,
Vepery, Chennai.

2.The Deputy Commissioner of Police,
CCB-II, Chennai Police,
Vepery, Chennai-7.

3.The Inspector of Police,
T-13, Kundrathur Police Station,
Kundrathur, Kanchipuram.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 3rd respondent police to register the petitioner's complaint dated 26.12.2013 and proceed with the investigation in accordance with law.

For Petitioner : Mr.Thangavadhana Balakrishnan

For Respondents : Mr.C.Emalias, APP

ORDER

This petition has been filed to direct the 3rd respondent to register the petitioner's complaint dated 26.12.2013.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

3. It is seen that this petitioner has lodged a complaint dated 26.12.2013 to the Commissioner of Police against Madha Engineering College, alleging that the Engineering College had illegally grabbed the petitioner's patta land. The said complaint was forwarded to the Inspector of Police, Kundrathur

Police Station, who once again, forwarded the complaint to the CCB. The CCB instead of conducting enquiry, sent the complaint to the Inspector of Police, Kundrathur Police Station, who has closed the complaint on the ground that the petitioner is not co-operating.

4. It is the case of the petitioner that even the Tahsildar has conducted enquiry and has given a report dated 06.05.2014, in which, it is clearly stated that the said Madha Engineering College has usurped the petitioner's land and has put a compound wall around it.

5. In a case of this nature, the police cannot make an ordinary individual to run from pillar to post. Therefore, this Court directs the petitioner to lodge a fresh complaint to the Deputy Commissioner of Police, CCB/ 2nd respondent, who shall assign the same to a competent officer in the rank of Inspector of Police for further investigation to register an FIR, since the complaint discloses commission of cognizable offence and proceed with the investigation in accordance with law.

With the above direction, this petition is closed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police,
Commissionerate, Greater Chennai,
Vepery, Chennai.

2.The Deputy Commissioner of Police,
CCB-II, Chennai Police,
Vepery, Chennai-7.

3.The Inspector of Police,
T-13, Kundrathur Police Station,
Kundrathur, Kanchipuram.

4.The Public Prosecutor,
High Court, Madras.

+1cc to M/S.V.Manisekaran, Advocate Sr.36206

+1cc to M/S.Thagavathana Balakrishnan, Advocate sr.35909

CRL.OP.No.7789 of 2016

mp[co]
srg 06/07/2016



WEB COPY