

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.7941 of 2016

S.Pitchammal

... Petitioner

Vs.

1.The Superintendent of Police
Ariyalur police station
Ariyalur District.

2.The Deputy Superintendent of Police
Andimadam police station
Ariyalur District.

3.The Inspector of Police
Andimadam police station
Ariyalur District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the third respondent along with the respondents 1 and 2 to register a case based on the petitioner's complaint dated 10.03.2016 against 1. Thersammal 2.Rajakannu 3. Periyamayagasamy and 4.Periyamayaga Mary and investigate the same in accordance with law.

For Petitioner : Mr.B.Asaithambi

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the third respondent to register a case pertaining to the petitioner's complaint dated 10.03.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 10.03.2016. Even though they received the complaint, they have 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, enquiry has been conducted. On 01.04.2016,at the time of enquiry,the petitioner has given a statement stating that she is ready to approach the civil forum to work out her remedy. Recording her statement, the complaint was closed as no further action is required.

4.Heard both sides.

5.A perusal of the typed set of papers reveals that the property originally belonged to one Xavier. After his death, the petitioner alleged to have purchased the property in the year 2007 from his wife Dhanamary and his children,who are legal heirs of Xavier.Thereafter, the counter petitioners, who are sisters and brothers of Xavier,have claimed title over the property. Hence, the petitioner has lodged the complaint and after enquiry, the complaint was closed as civil in nature.

6.Recording the submissions made by the learned Additional Public Prosecutor, the Criminal Original Petition is disposed of. Both the parties are directed to approach the civil forum to work out their remedy.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police
Ariyalur police station
Ariyalur District.

2.The Deputy Superintendent of Police
Andimadam police station
Ariyalur District.

3.The Inspector of Police
Andimadam police station
Ariyalur District.

4.The Public Prosecutor
High Court, Chennai.

+1cc to Mr.B.Asaithambi, Advocate, S.R.No.24260

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RSY(CO)

CA(09/05/2016)

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