

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.950 of 2016

M.Archana Devi

...Petitioner

Vs

1. The Superintendent of Police,
Cuddalore District.
2. The Deputy Superintendent of Police
Panruti Sub Division, Panruti Taluk,
Cuddalore District.
3. The Inspector of Police
Muthandi Kuppam Police Station,
Cuddalore District.
4. Tmt. Jayakumari,
5. R.Nandagopal,
6. Tmt.Nirmala.

...Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 3rd respondent to register a case against the culprits and their supporters based upon the petitioners complaint dated 04.01.2016 and file a final report.

For Petitioner : Mr.B.Sudhakar.

For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor

O R D E R

This petition has been filed to direct the 3rd respondent to register the complaint of the petitioner dated 04.01.2016 and file a final report.

2. The petitioner is the wife of Mayakannan. The petitioner's husband is working abroad at Abu Dhabi. The said Mayakkan is having land in Old S.No.490/6, New S.No.490/6B1A,

measuring a total extent of 57 cents situated in Maraunkoor Post, Panruti Taluk, Cuddalore District. The said property was purchased by the petitioner's father-in-law, Mr. Palani Pillai by way of registered sale deed in Document No.629 of 2969. Thereafter, Palani Pillai sold part of the property measuring about 47 cents only, out of 57 cents to Ranjitham Ammal, and the remaining 10 cents was not sold till the death of Palani Pillai and for the said 10 cents patta stands in the name of Mayakannan. The respondents 4 to 6 who are adjacent land owners of the remaining 47 cents are trying to grab the remaining 10 cents and they trespassed into the property on 2.1.2016 at night time. Hence, the petitioner lodged a complaint with the respondent police 4.1.2016. Since no action was taken so far, the present petition has been filed.

3. When the matter is taken up for consideration, learned Additional Public Prosecutor submitted that the matter is purely civil in nature and both the parties are claiming right over the said property.

4. Learned counsel for the petitioner denies the same and submitted that there is allegation of land grabbing and also threat made by the counter petitioners. Hence, he sought for a suitable direction.

5. In view of the submission made on either side, this Court directs the petitioner to give a fresh complaint to the 3rd respondent police within a period of one week from the date of receipt of a copy of this order along with a copy of this order and on receipt of the same, the 3rd respondent police is directed to conduct an enquiry on the complaint given by the petitioner and upon enquiry, if the materials are gathered indicating any cognizable offence, he is directed to proceed further in accordance with law as early as possible. In the course of enquiry, if no prima facie is made out or the matter is civil in nature, he is directed to pass appropriate orders on the complaint made by the petitioner.

6. The criminal original petition is disposed of accordingly.

sd/-

Assistant Registrar (Cs-VII)

/TRUE COPY/

Sub-Assistant Registrar

vsi

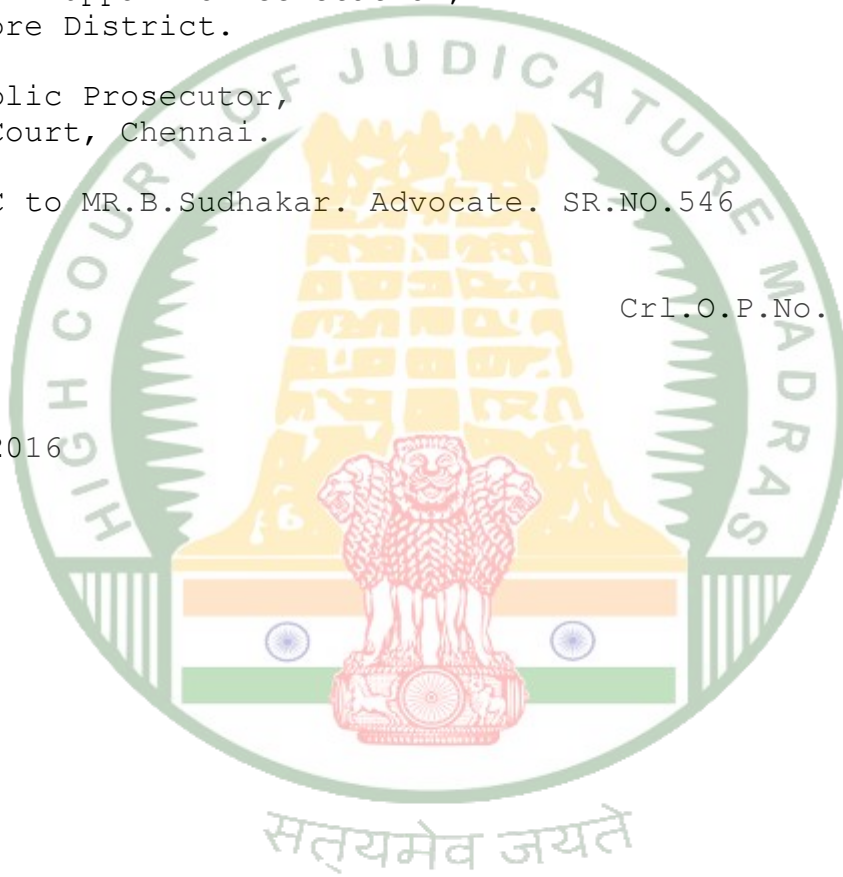
To

1. The Superintendent of Police,
Cuddalore District.
2. The Deputy Superintendent of Police
Panruti Sub Division, Panruti Taluk,
Cuddalore District.
3. The Inspector of Police
Muthandi Kuppam Police Station,
Cuddalore District.
4. The Public Prosecutor,
High Court, Chennai.

+1 CC to MR.B.Sudhakar. Advocate. SR.NO.546

Crl.O.P.No. 950 of 2016

CO-CTK
JD 01/02/2016



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