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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2016

CORAM:

**THE HONOURABLE Dr.JUSTICE S.VIMALA**

Crl.O.P.(MD)No.15163 of 2016

P.Rajesh

.. Petitioner

Vs.

1.The Superintendant of Police,  
Tuticorin District,  
Tuticorin.

2.The Deputy Superintendant of Police,  
Srivaigundam  
Tuticorin District.

3.The Inspector of Police,  
Alwarthirunagari Police Station,  
Tuticorin District.

.. Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondents to register a case on the petitioner's complaint dated 31.07.2016 and investigate the same in an effective manner.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.K.V.Rajarajan,  
Government Advocate.  
(Criminal side)

**ORDER**

It is an application seeking a direction to the respondents to register a case based on the complaint of the petitioner dated 31.07.2016.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3.According to the learned Government Advocate (Crl. Side), petition enquiry is pending in CSR No.199 of 2016.

4.The learned counsel appearing for the petitioner would submit that the petitioner has taken possession of the property in dispute under SURFAESI proceedings on 22.07.2016 and therefore, the complaint preferred by the petitioner, did not warrant much time for enquiry.



5. In view of the submissions made on either side, the third respondent is directed to expedite the enquiry and complete the same within a period of one week from the date of receipt of a copy of this order. During the course of enquiry, if any cognizable offence is made out, the third respondent shall take action in accordance with the law laid down by the Hon'ble Apex Court in **Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC)]**. In case of closure of the complaint, a copy of the closure report be furnished to the petitioner within a week of such closure. On receipt of the same, it is open to the petitioner to work out his remedy in the manner known to law.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/  
Assistant Registrar (AS)

/TRUE COPY/

Sub Assistant Registrar To

1. The Superintendent of Police,  
Tuticorin District,  
Tuticorin.
2. The Deputy Superintendent of Police,  
Srivaigundam  
Tuticorin District.
3. The Inspector of Police,  
Alwarthirunagari Police Station,  
Tuticorin District.
4. The Additional Public Prosecutor  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to M/S.S.C. Herold Singh, Advocate in SR.No.46112

Cr1.O.P. (MD) No.15163 of 2016  
19.08.2016

mj  
PA/SK-SKN/SAR III/31.08.2016/2P/6C