



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA
Crl.O.P. (MD) No.7494 of 2016

S.Mahalingam

...Petitioner/Defacto Complainant

-vs-

1. The Superintendent of Police,
Sivagangai District.

2. The Inspector of Police,
Tirupuvanam Police Station,
Sivagangai District.

...Respondents/Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to register an FIR on the basis of the petitioner's complaint dated 05.04.2016 and investigate the same in accordance with law and to file final report.

For Petitioner : Mr.K.Muthumalai

For Respondents : Mr.A.P.Balasubramani
Govt. Advocate (Crl.Side)

ORDER

This petition has been filed to direct the 2nd respondent to register an FIR on the basis of the petitioner's complaint dated 05.04.2016 and investigate the same in accordance with law and to file final report.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side), who would submit that on the basis of the complaint dated 05.04.2016 given by the petitioner, petition enquiry is pending.

3. Perusal of the complaint would reveal that the lands in question belong to the petitioner's mother-in-law; that both the petitioner's wife and his mother-in-law expired. It is stated in the complaint that the petitioner is in possession and enjoyment of the said lands; that the proposed accused persons, on coming to know the death of the petitioner's mother-in-law, are trying to grab the land by creating fake documents. In this regard, the petitioner sent a complaint to the respondents on 05.04.2016 and since there was no response on his complaint, the petitioner is before this Court seeking the above relief.



4. In view of the submission made by the learned Government Advocate (Crl.Side) that petition enquiry is pending in this case, the 2nd respondent is directed to expedite the enquiry and complete the same within a period of one month from the date of receipt of a copy of this order. During the course of enquiry, if any cognizable offence is made out, the respondent police 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.

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

Sd/-

Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

To:

1. The Superintendent of Police, Sivagangai District.
2. The Inspector of Police, Tirupuvanam Police Station, Sivagangai District.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.K.Muthumalai, Advocate in SR.28456

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JA-KBM-21/6/2016/2P-5C

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