



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P. (MD) No.8797 of 2016

C.Dennis

.. Petitioner

Vs.

1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The Sub Inspector of Police,
Thiruvattar Police Station,
Thiruvattar, Kanyakumari District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondents to register FIR based on the petitioner's complaints dated 21/05/2016 and 23/05/2016 and to investigate the matter in accordance with law.

For Petitioner : Mr.E.V.N.Siva

For Respondents : Mr.A.P.Balasubramani,
Government Advocate
(Criminal side)

ORDER

It is an application seeking a direction to the respondents to register a case based on the complaints of the petitioner dated 21.05.2016 and 23.05.2016.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) for the respondents.

3.The sum and substance of the complaint of the petitioner is that there is a dispute between the petitioner and proposed accused with regard construction of a Hindu Temple in the disputed land. As there was no case registered by the second respondent, the petitioner has come up with this petition.



4. According to the learned Government Advocate (Crl. Side), petition enquiry is pending before the second respondent.

5. In view of the above submission, the second 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 second 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.

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

Sd/-

Assistant Registrar (W)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. The Sub Inspector of Police,
Thiruvattar Police Station,
Thiruvattar, Kanyakumari District.

3. The Government Advocate (Crl. Side),
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.E.V.N.SIVA, Advocate, SR No.31019

Crl.O.P(MD)No.8797 of 2016
14.06.2016

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SH/DB:24.06.2016:2P/5C