



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2016

WEB COPY

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD).No.9650 of 2016

Narayanan

... Petitioner

-Vs-

1.The Superintendent of Police,
Tirunelveli District

2.The Inspector of Police,
Mookaikaraipatti Police Station,
Tirunelveli District

... Respondents

Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent to register an FIR based on the complaint of the petitioner dated 19.03.2016 forwarded by the 1st respondent and take action as per law.

For Petitioner : M/s.D.Venkatesh

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

ORDER

This petition has been filed for a direction to the 2nd respondent police to register a case based on the petitioner's complaint dated 19.03.2016.

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

3. The sum and substance of the complaint preferred by the petitioner is that with regard to the ancestral properties, a suit in O.S.No.150 of 2010 is pending between the petitioner and his brother's sons, for which, they are the co-owners. While so, his brother's son, without getting the consent of the petitioner, leased out the disputed property to the Town Panchayat for parking the public vehicles, thereby cheated the petitioner herein. <https://hcservices.ecourts.gov.in/hcservices/> Therefore, he gave a complaint against the accused persons. Since no action has been taken, the present petition has been filed.



4. According to the learned Government Advocate (Crl. Side), petition enquiry is pending before the 2nd respondent.

5. In view of the above submission, 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,
Tirunelveli District

2.The Inspector of Police,
Mookaikaraipatti Police Station,
Tirunelveli District

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.D.Venkatesh, Advocate in SR.No.31880

SDR/SK-SKN/30.06.2016/2P/5C

Crl.O.P. (MD) .No.9650 of 2016
21.06.2016