



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P. (MD) No.9817 of 2016

M.U.Selvam

..Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City.

2.The Assistant Commissioner of Police,
PCR Wing,
Tirunelveli City.

3.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the inspector of police palayamkottai police station, Madurai district to register the petitioner's complaint dated 7.6.2016 as an FIR and further direct him to investigate into the matter and to file the final report within stipulated period as prescribed by this Court.

For Petitioner : Mr.R.Anand

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

ORDER

It is an application seeking a direction to the third respondent to register a case based on the complaint of the petitioner dated 07.06.2016.

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 of the petitioner is that the first proposed accused has rented out his one of the shops to the petitioner. Despite paying monthly rent regularly, the proposed accused persons disturbed the occupation of the petitioner and a suit is pending in O.S.No.410 of 2015. On 06.06.2016, the proposed accused have broken the shop of the petitioner and looted the articles. As there was no case registered, the petitioner has come up with this petition.

4.According to the learned Government Advocate (Crl. Side), petition enquiry is pending in CSR No.416 of 2016.



5. In view of the above submission, the third 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 third 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(AS)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1. The Commissioner of Police,
Tirunelveli City.

2. The Assistant Commissioner of Police,
PCR Wing,
Tirunelveli City.

3. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli City.

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

+1cc to M/s.R.Anand, Advocate in SR.32917

Cr1.O.P. (MD) No.9817 of 2016
23.06.2016

mj

PBK/SK-SKN/SAR-III 05/07/2016 ::2P-6C::