

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46014 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the inaction of the 3<sup>rd</sup> respondent in investigating into Crime No.372 of 2016, in arresting the accused and in filing the charge sheet in the said crime, as illegal and arbitrary, and consequently, direct the 3<sup>rd</sup> respondent to investigate into the above crime.

Heard and perused the material available on record.

The case of the petitioner is that he took a sum of Rs.10,00,000/- on 23.12.2014 from the 4<sup>th</sup> respondent by mortgaging his property, but the 4<sup>th</sup> respondent with the help of respondents 5 and 6, cheated him by executing a registered sale deed instead of registered mortgage deed, therefore, he lodged a complaint on 25.11.2016. The grievance of the petitioner is that the police are not conducting investigation in the abovementioned case.

Learned Assistant Government Pleader for Home submitted that the complaint was lodged on 25.11.2016 and the same was registered as Crime No.372 of 2016 on the same day and the police concerned are investigating into the matter, but the petitioner filed the present writ petition within a period of one month from lodging the complaint, which is premature in nature and therefore, this writ petition is not maintainable.

Considering the submissions of the learned Assistant Government Pleader for Home, this Court is of the view that this petition is premature in nature and therefore, the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.  
Consequently, miscellaneous petitions pending, if any, shall stand closed.

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RAJA ELANGO, J

December 28, 2016.  
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