

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41070 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 2nd respondent in registering FIR No.273 of 2016, as illegal and arbitrary.

The allegations made in the complaint lodged by the 3rd respondent against the petitioner are that the 3rd respondent purchased a flat in Survey No.330 B2 (194.4 yards) from the petitioner and that on 22.10.2016, when the son of the 3rd respondent went to Gram Panchayat Office, Nakrekal, it was stated that the subject flat is under Government and thereby, the petitioner cheated the 3rd respondent by selling the subject flat to the 3rd respondent. The main grievance of the petitioner is that if the petitioner is arrested, then he would suffer irreparable loss and hardship since the petitioner has to look after his old aged parents, wife and children.

Considering the grievance of the petitioner, the 2nd respondent is directed to complete the investigation in FIR No.273 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 25th November, 2016

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