

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41700 of 2016

ORDER:

The present writ petition is filed by the petitioner under Article 226 of the Constitution of India, seeking a declare the action of the respondents in not taking action on the complaint given by the petitioner, dated 30.09.2016, against the 4th respondent.

The main grievance of the petitioner is that the 4th respondent trespassed into his property and demolished the compound wall and tried grab his land of an extent of 83 sq. yds., and therefore, he filed civil suit and obtained injunction in his favour. Though the injunction order is in existence, the 4th respondent again trespassed in to the land along with some anti social elements and beat the petitioner and tried to evict him. Therefore, the petitioner lodged a complaint on 30.09.2016 before the 3rd respondent against the 4th respondent, but the 3rd respondent is not taking any action against the 4th respondent and also not registering the crime, basing on the complaint of the petitioner.

Heard and perused the material available on record.

Considering the grievance of the petitioner, the 3rd respondent is directed to register a case against the 4th respondent, if the complaint lodged by the petitioner, dated 30.09.2016, discloses any cognizable offence and investigate into the same and file a final report if any. If the 3rd respondent fails to register the case, the petitioner is at liberty to approach the superior officer of the 3rd respondent and also to approach the concerned Court by invoking provision under Section 200 Cr.P.C.

With the above directions, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

December 01, 2016.
KTL



