

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44132 of 2016

ORDER:

1. This writ petition is filed by the petitioner aggrieved over the report filed by the 5th respondent in FIR No. 239 of 2013.
2. Heard and perused the material available on record.
3. The petitioner, who is the complainant, lodged a complaint in the year 2013 against unofficial respondents for the offence under Section 420 IPC. After completion of the investigation, the 5th respondent filed a final report before the Court concerned informing that the matter is in civil nature. Aggrieved over the said report, the petitioner filed this writ petition.
4. When a complaint was referred as civil nature and if the petitioner is not satisfied with the investigation conducted by the 5th respondent, he is at liberty to approach the Court concerned by filing a protest petition. The learned Counsel for the petitioner submitted that the petitioner has not received any notice from the Court concerned and hence, the petitioner could not approach the Court in time. But the petitioner filed a copy of the final report of the 5th respondent dated 10.5.2015. If it is the case of the petitioner that he has not received any notice from the competent Court, he is at liberty to file a protest petition on or before 10th January, 2017 before the Court concerned. On such petition being filed, the Court concerned is directed to dispose of the same, in accordance with law.
5. Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date: 19th December, 2016
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HONOURABLE SRI JUSTICE RAJA ELANGO



Date: 19th December, 2016

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