

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM  
CRL.O.P.No.22274 of 2018

G.Neelamegam

...Petitioner

Vs.

State: rep. by  
The Inspector of Police,  
Arumbavur Police Station,  
Veppanthattai Taluk,  
Perambalur District.

... Respondent.

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register the complaint given by the petitioner through Registered post with acknowledgement due on 30.08.2018.

For Petitioner :Mr.P.Sundararajan

For Respondent :M/s.M.Prabhavathi  
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent to register a case based on the complaint given by the petitioner dated 30.08.2018.

2. The learned counsel for the petitioner has submitted that the petitioner is a tenant under one Mrs.N.Poomani and running a medical shop for the past three years. He further submitted that on 22.08.2018, the landlady came with 20 persons and illegally locked the petitioner's Medical Shop and criminally intimidated him. He further submitted that with regard to the aforesaid acts, the petitioner has lodged a complaint before the respondent on 30.08.2018, but so far no action has been taken.

3. The learned Additional Public Prosecutor has submitted that the dispute is between the landlady and the tenant in which the police cannot interfere.

4. Considering the aforesaid submissions, if the petitioner is a tenant and he has in possession of the property, he has to approach the civil Court seeking injunction not to evict him except under due process of law. If he was already dispossessed by force, then he has to file a suit under Section 6 of the Specific Relief Act, 1963 for recovery of possession within six months from the date of dispossession. Without following the aforesaid procedures, the petitioner cannot seek remedy from the police in the civil disputes.

5. With the aforesaid observations, this Criminal Original Petition is disposed of.

vsa

Sd/-

Assistant Registrar(CS ix)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,  
Arumbavur Police Station,  
Veppanthattai Taluk,  
Perambalur District.

2.The Public Prosecutor,  
Madras High Court,  
Chennai.

+1cc to Mr.P.Sundararajan , Advocate SR.No. 64312

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ASK(26/10/2018)

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