

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2018

CORAM

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.22334 of 2018

Kuppan

... Petitioner

Vs.

State rep.by

Inspector of Police,

Sivakanchi Police Station,

Big Kanchipuram,

Kanchipuram District.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to register the FIR on the basis of Complaint dated 21.04.2018.

For Petitioner : Mr.C.Samadharm Arasu

For Respondent : Ms.M.Prabhavathi

Addl.Public Prosecutor (Crl.side)

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 21.04.2018.

2. The learned counsel for the petitioner has submitted that the petitioner is a tenant under one Devika. He further submitted that the said Devika without filing any Rent Control Original Petition (RCOP), compelled the petitioner to vacate the premises and also used filthy language and criminally intimidated him. Hence, the petitioner has lodged a complaint before the respondent on 21.04.2018, but so far, no action has been taken.

3. The learned Additional Public Prosecutor (Crl.Side) has submitted that the petitioner has not sent any complaint to the respondent and she further submitted that only an advocate has sent a notice and based on the same, no action can be taken.

4. Considering the aforesaid submissions, since the petitioner has not lodged a complaint, this petition is not

maintainable. The petitioner is directed to lodge a complaint before the respondent and if any such complaint is lodged , the respondent is directed to enquire the same and if the said enquiry reveals any cognizable offence, he has to register a case and proceed in accordance with law. In case, the enquiry reveals only a civil dispute, he has to direct the petitioner to approach the civil court and get appropriate relief.

5.With the aforesaid observations, this petition is disposed of.

Sd/-
Deputy Registrar

//True copy//

Sub Assistant Registrar

msrm

To

1.The Inspector of Police,
Sivakanchi Police Station,
Big Kanchipuram,
Kanchipuram District.

2. The Public Prosecutor
High Court of Madras.

+1cc to Mr.C.Samadharm Arasu, Advocate SR.No.64736

GMV (26/10/2018)

Cr1.O.P.No.22334 of 2018

सत्यमेव जयते
WEB COPY