

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2018

CORAM

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.22371 of 2018

Srinivasan

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
Poolampatty Police Station,
Salem District.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the complaint dated 09.07.2018 and investigate the same.

For Petitioner : Mr.V.Regunathan

For Respondent : Ms.M.Prabhavathi
Addl.Public Prosecutor (Crl.side)

O R D E R

This petition has been filed to direct the respondent police to register a case based on the complaint given by the petitioner dated 09.07.2018.

2. The learned counsel for the petitioner has submitted that the land in Survey No.336/2B belongs to his father Nanjappa gounder and eight others. The land was partitioned in the year 1960 and all are doing agricultural activities in the above said land. He further submitted that the common well in the above said land was allotted to the petitioner and one Dharmalingam and his wife Valliammal. The said Dharmalingam was the petitioner's uncle's son-in-law. The land also contains common area for common use for all. The said Dharmalingam obliterated the common vaari with sand and added along with his land. When the petitioner questioned the same, the said Dharmalingam

threatened him with dire consequences and abused with filthy language. Hence, the petitioner has lodged a complaint before the respondent on 09.07.2018, but so far no action has been taken on the said complaint.

3. The learned Additional Public Prosecutor (CrI.Side) has submitted that the complaint is still pending for enquiry.

4. Considering the aforesaid submissions, the respondent is directed to expedite the enquiry. If the enquiry reveals any cognizable offence, then, he has to register a case and proceed in accordance with law. In case, the enquiry reveals only a civil dispute, the petitioner has to be directed approach the civil court and get appropriate relief.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Poolampatty Police Station,
Salem District.

2. The Public Prosecutor
High Court of Madras.

+1cc to Mr.V.Regunathan, Advocate, S.R.No.65090

सत्यमेव जयते

CrI.O.P.No.22371 of 2018

GSP(25/10/2018)

WEB COPY