

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.05.2018

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.OP No.13690 of 2018

D.Balasundaram

.. Petitioner

Vs

1.Deputy Commissioner of Police,
Avadi, Chennai - 600 054

2. Assistant Commissioner of Police,
T15, SRMC, Porur,
Chennai

3. The Inspector of Police,
T15, SRMC, Porur, Chennai

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the third respondent to register FIR against the complaint given by the petitioner dated 12.05.2018 with appropriate provisions of IPC or any other appropriate criminal legislation.

For petitioner

: Mr.V.Balakrishnan

For Respondents

: M/s.M.Prabhavathi

Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to direct the third respondent to register FIR against the complaint given by the petitioner dated 12.05.2018 with appropriate provisions of IPC or any other appropriate criminal legislation.

2. Heard the learned counsel for the petitioner and the learned

N.SATHISH KUMAR,J.,

3. It is the contention of the learned counsel for the petitioner that the petitioner's brother has executed a settlement deed in respect of the property to the 3rd party. Based on that, the 3rd party is trying to take the possession of the property.

4. I am unable to accept such contention, unless the title and possession is established, this Court cannot exercise its inherent jurisdiction to direct the police to register the FIR against the complaint given by the petitioner, in fact which may lead to serious consequences. It is for the petitioner to establish his right before the Civil Court.

4. With these observations, this petition stands dismissed.

30.05.2018

ssd/vsg

To

1. Deputy Commissioner of Police,
Avadi, Chennai - 600 054

2. Assistant Commissioner of Police,
T15, SRMC, Porur,
Chennai

3. The Inspector of Police,
T15, SRMC, Porur, Chennai

4. The Public Prosecutor,
High Court, Madras.

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