



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2018

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.1395 of 2018

T.Natarajan

... Petitioner

-vs-

1.The State represented by
The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai.

2.The Inspector of Police,
Ganeshnagar Police Station,
Pudukkottai.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to register a case on the basis of the complaint dated 14.12.2017 and proceed with the same as per law within the time frame fixed by this Court.

For Petitioner : Mr.S.Karthick Subramanian
For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, to direct the second respondent to register a case, based upon the complaint given by the petitioner dated 14.12.2017.

2.The learned counsel appearing for the petitioner has submitted that one VasanthaKumari has executed a Power of Attorney in favour of the petitioner, with regard to maintain her property and that being so, the proposed accused persons, namely, Ganeshan, Bhavani and Sanjai Gandhi have encroached the property of the Vasanthakumari and hence the said Vasanthakumari lodged a complaint on 14.12.2017. But, so far no action has been taken.

3.The learned Government Advocate (Crl.Side) has submitted that already the said Ganeshan and Bhavani have filed two suits on District Munsif, Pudukkottai and they are still pending. He further submitted that the complaint lodged by the petitioner is also pending for enquiry.



4. Considering the aforesaid submissions, the second respondent is directed to expedite the enquiry and if the enquiry reveals any cognizable offence, then he has to register a case and proceed further in accordance with law. In case, the enquiry reveals only a civil dispute, then he can direct the parties to work out their remedy before the Civil Court.

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

sd/-
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai.
2. The Inspector of Police,
Ganeshnagar Police Station,
Pudukkottai.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.S.KARTHICK SUBRAMANIAN, Advocate SR.No.44839

CRL.O.P. (MD) No.1395 of 2018
30.01.2018

SSS
VB/JC/SAR-3:14.02.2018: 2P/5c