



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2018

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAMCrl.O.P.(MD) No.1671 of 2018

Eswaradhass

... Petitioner

-Vs-

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspctor of Police,
Arumanai Police Station,
Kanyakumari District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 2nd respondent police to register the case on the complaint of the petitioner dated 05.12.2017 and 16.12.2017 on the file of the respondents herein and to investigate and file a final report within a stipulated time as fixed by this Court.

For Petitioner

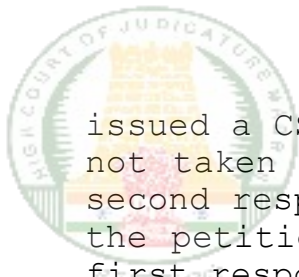
: Ms.C.Bharathi

For Respondents

: Mr.Prabhu Ramachandran
Government Advocate(Crl.side)O R D E R

This petition has been filed to direct the second respondent to register a case based upon the complaint given by the petitioner, dated 05.12.2017 and 16.12.2017.

2.The learned counsel for the petitioner has submitted that the petitioner is having two acres of land in Survey No.348/10 in Arumanai Village, in which, he has planted rubber trees. He further submitted that the petitioner has approached one Rathinam, who is working as lineman in TNEB, for fixing meter in his residence for that the said Rathinam has demanded a sum of Rs.500 as bribe, but the petitioner refused to pay the said amount and aggrieved by the same, the said Rathinam trespassed into the petitioner's land on 02.12.2017 and cut nine trees and caused damage to the value of RS.2.5 lakhs and hence, the petitioner has lodged a complaint before the second respondent on 05.12.2017 and the second respondent has



issued a CSR No.87 of 2017 and thereafter, the second respondent has not taken any further action. He further submitted that since the second respondent has not taken any action on the earlier complaint, the petitioner has sent another complaint on 16.12.2017 through the first respondent and thereafter also no action has been taken.

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3.The learned Government Advocate (Crl.side) has submitted that after receipt of the aforesaid complaints, enquiry has been conducted and since the aforesaid trees were touching the high tension live wire of TNEB, he has cut the trees and no offence has been committed and hence, the said complaints have been closed on 29.12.2017.

4.The learned counsel for the petitioner by way of reply has submitted that the petitioner has not received any information with regard to the closure of the petitioner's complaints.

5.Considering the aforesaid submissions, the second respondent is directed to inform the petitioner by a registered post with regard to the closure of the petitioner's complaints. It is open to the petitioner to avail any other remedy, which is available under the law.

6.With the aforesaid observation, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+One cc to Ms.C.Bharathi, Advocate, SR.No.46188
rmk
RL/5C/2P/SV/MMS/SAR2/20/2/2018