



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD) No.2180 of 2018

Muruganantham

: Petitioner

-Vs-

1. The Superintendent of Police,
Theni District.

2. The Inspector of Police,
Chinnamanur Police Station,
Theni District.

: Respondents

PRAYER: Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to instruct the second respondent to register a case based upon the petitioner's complaint dated 08.01.2018.

For Petitioner : Mr.J.Jayaraman

For Respondents : Mr.Prabhu Ramachandran
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the second respondent to register a case based upon the complaint given by the petitioner dated 08.01.2018.

2.The learned counsel for the petitioner has submitted that the proposed accused is the adjacent land owner and he has no right over the petitioner's property. However, he has trespassed in the petitioner's property on 08.01.2018 and caused damage to the petitioner's house and hence, the petitioner has lodged a complaint before the second respondent on 08.01.2018, but sofar, no action has been taken.

3.The learned Government Adovcate (Crl.side) has submitted that after receipt of the complaint, CSR.No.29 of 2018 has been issued. He further submitted that already, the petitioner has filed a suit in O.S.No.184 of 2018 on the file of the learned District Munsif, Uthamapalayam. Considering the aforesaid fact, the petitioner's complaint has been closed, by directing the petitioner to get remedy in the said civil suit itself.



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

5. Considering the aforesaid submissions, this Criminal Original Petition is disposed of. The second respondent is directed to inform the petitioner with regard to the closure of the petitioner's complaint by RPAD. It is open to the petitioner to avail any other remedy, which is available under the law.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif, Uthamapalayam.
2. The Superintendent of Police,
Theni District.
3. The Inspector of Police,
Chinnamanur Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

DAS

TE/KK/SAR-4 : 19/03/2018 : 2P/5C

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