



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD)No.2956 of 2018

V.Subburaman

... Petitioner

-vs-

The Inspector of Police,
Ottapidaram Police Station,
Ottapidaram,
Tuticorin District.

... Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to register the case on the petitioner's complaint dated 01.02.2018 and proceed with the same as per law.

For Petitioners : Mr.T.Lajapathi Roy
For Respondent : Mr.Prabhu Ramachandran
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the respondent to register a case based on the complaint given by the petitioner dated 01.02.2018.

2.Heard Mr.T.Lajapathi Roy, learned counsel appearing for the petitioner and Mr.Prabhu Ramachandran learned Government Advocate (Crl.Side) appearing for the respondent.

3.The learned counsel appearing for the petitioners has submitted that the petitioner is having agricultural land of 1 ½ acre in Survey No.148/2 at Vellaram, Ottapidaram Taluk, Tuticorin District. He further submitted that one Perumal Naayakar and others have filed a suit for partition in O.S.No.47 of 2010 on the file of the II-Additional District Court, Tuticorin and the same was dismissed on 18.04.2016. Thereafter, they have trespassed into the petitioner's property and caused damage to the electric motor, pumpset, etc., worth about Rs.20,000/-. Hence, the petitioner has lodged a complaint on 29.01.2018 and no action has been taken on the said complaint and hence, another complaint was lodged on 01.02.2018, on that complaint also no action has been taken.



4.The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that after receipt of the complaint, on 29.01.2018 the respondent has conducted enquiry and closed the same on 31.01.2018, as the dispute is civil in nature.

5.Recording the aforesaid submissions, this Criminal Original Petition is disposed of. It is open to the petitioner to avail any other remedy, which is available under the law.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Ottapidaram Police Station,
Ottapidaram, Tuticorin District.
2. The Additional Public Prosecutor,
Madruai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 54658

DAS

TE/KK/SAR-2 : 28/03/2018 : 2P/4C

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