



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**

Crl.O.P.(MD) No.3479 of 2018

R.Kalaimuthu

... Petitioner

-Vs-

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2. The Inspector of Police,
Parthipanur Police Station,
Parthipanur,
Ramanathapuram District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, directing the second respondent to register a case against the proposed accused persons on the basis of complaint dated 08.02.2018 and investigate the same.

For Petitioner

:Mr.T.Indrachithu

For Respondents

:Mr.Prabu Ramachandran,
Government Advocate (Crl. Side).

ORDER

This petition has been filed to direct the second respondent to register a case based on the complaint given by the petitioner, dated 08.02.2018.

2.The learned counsel for the petitioner has submitted that the proposed accused has obtained patta fraudulently in respect of the petitioner's family property and hence, the petitioner has filed a petition in W.P.No.21186 of 2017 for directing the Tahsildar, Paramakudi, to implement the order passed by the Sub-Collector and the said writ petition was allowed and thereafter, the Tahsildar has cancelled the separate patta, which was given in favour of the proposed accused persons with regard to the S.No.7/4 only. But taking advantage of the situation that the patta was not cancelled in respect of S.No.7/1, the proposed accused tried to create forgery records and also cut down the trees and hence, the petitioner has sent a complaint to the police on 24.01.2018



and based on that, CSR.No.10 of 2018 has been issued, but no action has been taken. He further submitted that subsequently, the petitioner has sent a complaint on 08.02.2018 by registered post and even thereafter, no action has been taken.

3.The learned Government Advocate has submitted that after receipt of the complaint, dated 24.01.2018, CSR.No.10 of 2018 has been issued and enquiry has been conducted and the same was closed on 06.02.2018 and thereafter, in respect of the same facts, the petitioner has sent another complaint on 08.02.2018 and the same is pending.

4.Considering the aforesaid submission, the second respondent is directed to verify whether the second complaint is also in respect of the facts mentioned in the earlier complaint, then he has to dispose of the said complaint in accordance with law and inform the same to the petitioner.

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

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Inspector of Police,
Parthipanur Police Station,
Parthipanur,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.K.Malai Maran, Advocate Sr.No.57797

RMK

VB/SV/MMS/SAR4/23.04.2018/2P/5C