

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 11.01.2018
CORAM**

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM**Cr1.O.P. (MD) No.526 of 2018**

T.Chanthirakantha

... Petitioner

-Vs-

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

2.The Inspector of Police,
Land Grabbing Cell,
Pudukkottai District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent to register FIR on the complaint dated 23.11.2017 given by the petitioner.

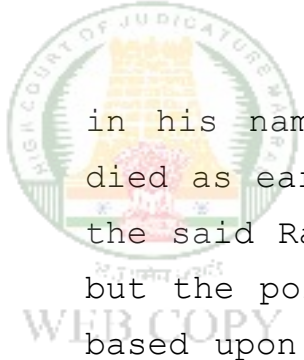
For Petitioner : Mr.M.Suresh
For Respondents : Mr.Prabu Ramachandran
Government Advocate(Cr1.Side)

ORDER

This Criminal Original petition has been filed to direct the second respondent to register the case based upon the complaint given by the petitioner dated 23.11.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Cr1.side) appearing for the respondents.

3.The learned counsel for the petitioner has submitted that the proposed accused Rathinam gave a petition before the Tahsildar stating that he has purchased property from the petitioner's husband on 15.10.2004, based on the said petition he got transfer of patta



in his name. He further submitted that the petitioner's husband died as early as, on 07.01.2002 and that being so, it is clear that the said Rathinam has claimed right based upon the false documents, but the police did not take any action. He further submitted that based upon the patta issued by the Tahsidar, which was obtained by giving false particulars, the said Rathinam took possession of the property in the year 2010 itself.

4.The learned Government Advocate (Crl.Side) has submitted that the complaint has been closed after enquiry and directed the parties to approach the Civil Court.

5.Admittedly, the possession is with the opposite party. In such a case, it is open to the petitioner to file a civil suit to get appropriate remedy before the Civil Court.

6.With the above observations, this Criminal Original Petition is disposed of. It is open to the petitioner to seek appropriate remedy before the appropriate forum.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Pudukkottai District, Pudukkottai.
- 2.The Inspector of Police,
Land Grabbing Cell, Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.M.SURESH, Advocate SR.No.41833.

Crl.O.P. (MD) No.526 of 2018
11.01.2018