



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.14496 of 2017

Kannammal

... Petitioner

-Vs-

State represented by

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

2.The Inspector of Police,
Land Grabbing Special Cell,
O/o.The Superintendent of Police,
Thanthondrimalai,
Karur District.

... Respondents

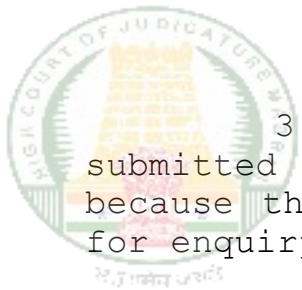
PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent to register a case/F.I.R on the complaint given by the petitioner dated 02.09.2017 and investigate into the case.

For Petitioner :Mr.S.Karthik
For Respondents :Mr.A.P.G.Ohm Chairma Prabhu,
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 on the complaint given by the petitioner, dated 02.09.2017.

2. The learned counsel for the petitioner has submitted that the petitioner and one Chitra Devi were having land in S.F.No.284/2 of Amsapuram Village, Manamangalam Taluk, Karur District. He further submitted that recently, they came to know that one N.Balakrishnan as a power agent of Subramaniam, Rathinam and Elansuriyan has sold the property which is situated in survey no.281/1 in favour of one Mythili in the year 2000 and in that sale deed, a path way right was also given in survey no.284/2, which belongs to the petitioner. He further submitted that with regard to the aforesaid act, the petitioner gave a complaint before the first respondent on 02.09.2017, but sofar, case has



3. The learned Government Advocate (Crl.side) has submitted that after enquiry the said complaint has been closed, because the petitioner has not appeared before the 2nd respondent for enquiry and produced any document.

4. The averments made in the petition shows that a sale deed has been executed by one Balakrishnan as a power agent of Subramaniam, Rathinam and Elansuriyan in favour of one Mythili and sold the property which is situated in survey no.281/1 and in that sale deed, a pathway right has been shown in survey no.284/2. If any such right is given by the vendors of Mythili in the petitioner's land, then it is open to the petitioner to file a suit before the Civil Court and establish that the vendors of the said Mythili have no right of pathway over the petitioner's land.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Land Grabbing Special Cell,
O/o. The Superintendent of Police,
Thanthondrimalai,
Karur District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.karthik, Advocate, SR.No. 41198

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