



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE **D.KRISHNAKUMAR**

Cr1.O.P.(MD) No.6079 of 2018

Girinivasa Prasad

... Petitioner

-Vs-

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent to register the case on the basis of the complaint given by the petitioner, dated 13.01.2017 and investigate the case accordance with law.

For Petitioner : Mr.S.Ramasamy

For Respondents : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the second respondent to register the case on the basis of the complaint given by the petitioner, dated 13.01.2017 and investigate the case in accordance with law.

2.According to the petitioner, the property in survey No.481/14A, Patta No.6572, Villukuri Village, belonged to one Ambalathadivilai Indhu Nadar Samuthayam and the petitioner is a representative of the said Samuthayam. He made a complaint to the respondent police to take action against the proposed accused for tress-passing into the land of the petitioner and taken away the tender coconut, but, no action has been taken by the respondent police and hence, the petitioner has filed the present Criminal Original Petition.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the Revenue Divisional Officer has passed the proceedings, dated 03.12.2016, in which, the



proposed accused is permitted to conduct the festival, further, advised to approach the Civil Court to seek their remedy.

4. Considering the submission made by the learned Additional Public Prosecutor, this Criminal Original Petition is dismissed, with liberty to the petitioner to approach the competent Civil Court and to proceed further in accordance with law.

Sd/-
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

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

+1cc to Mr.S.Ramasamy, Advocate, SR.No.61706.

Cr1.O.P.(MD) No.6079 of 2018
17.04.2018

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RAM/SV MMS/SAR 1/14.05.2018/2P/5C