



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.06.2018**

CORAM

WEB COPY

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

Crl.O.P. (MD) No.17423 of 2017

H.Sulthan Khan

... Petitioner

-Vs-

1. The Commissioner of Police,
Madurai City, Madurai.

2. The Assistant Commissioner of Police,
O/o, The Commissioner of Police,
Antiland Grabbing Special Cell,
Madurai City, Madurai.

... Respondents

Prayer: Criminal Original petition - filed under Section 482 of Code of Criminal Procedure, to direct the 2nd respondent to register the complaint of the petitioner dated 22.11.2017 and investigate the same in accordance with law.

For Petitioner : Mr.S.Mohamed Kadhar
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

O R D E R

This Criminal Original petition has been filed to direct the second respondent to register the complaint of the petitioner dated 22.11.2017 and investigate the same in accordance with law.

2.The learned counsel for the petitioner submits that the petitioner made a complaint before the respondent police on 21.11.2017 and he was called for enquiry. After the petitioner was enquired, no action has been taken by the respondent police to register the case against the proposed accused. Hence, the petitioner filed the present petition before this Court with the aforesaid prayer.

3.The learned counsel for the petitioner further submitted that the matter may be referred to Mediation and Conciliation Centre for amicable settlement.



4.The learned Government Advocate (Crl.Side) would submit that the complaint lodged by the petitioner was enquired and closed stating that there is civil dispute between the parties regarding partition of the ancestral property and as per the direction of this Court issued in W.P.(MD)No.3453 of 2017 filed by the petitioner, enquiry in this issue is pending with the District Registrar, Madurai and also suit in O.S.No.213 of 1973 renumbered as O.S.No.1120 of 2006 filed by the the petitioner's mother and others is also pending.

5.In view of the above submission made by the learned Government Advocate (Crl. Side), this Criminal Original Petition is dismissed with liberty to the petitioner to approach before the appropriate Civil forum to seek his remedy.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Assistant Commissioner of Police,
O/o, The Commissioner of Police,
Antiland Grabbing Special Cell,
Madurai City, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Mohamed Kadhar, Advocate Sr.No.69877

TA

VB/PN/SAR2/12.07.2018/2P/5C

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