

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED:09.01.2018****CORAM:**

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM**CRL.O.P. (MD)No.17927 of 2017**

P.M.Nija Mohaideen

... Petitioner

-Vs-

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

2.The Inspector of Police,
Kadanayanallur Police Station,
Tirunelveli District.

... Respondents

PRAYER:Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the 3rd respondent to register a case based on his complaint dated 21.08.2017 and investigate the case according to law.

For Petitioner : Mr.P.T.Thiraviam

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate(Crl. Side)**O R D E R**

This Criminal Original petition has been filed by the petitioner to direct the 3rd respondent to register a case based on his complaint dated 21.08.2017 and investigate the case in accordance with law.

2. The learned counsel for the petitioner has submitted that the petitioner's father had executed a settlement deed in favour of the petitioner in respect of the property situated in door No.82, Parasuramapuram South Street, Kadayanallur, Tirunelveli District, measuring about 1051.875 sq.ft. He further submitted that on 03.02.2011, the proposed accused persons 2 to 4 created a forged release deed in favour of the 1st proposed accused through document



No.1524/2011 and hence the petitioner has sent a complaint by registered post on 21.08.2017 to the first respondent, stating that the proposed accused persons have committed offences under Sections 441, 420, 467 and 471 of I.P.C, but, sofar, the first respondent has not registered any case and hence, the petitioner has filed the present petition.

3. The learned Government Advocate (Crl.side) has submitted that the dispute is between the brothers and he further submitted that the first proposed accused, who is being one of the brothers of the petitioner, has filed a suit in O.S.No.246/2017 on the file of the learned District Munsif, Tenkasi, with regard to the aforesaid property. He further submitted that the complaint has been closed directing the parties to seek remedy before the Civil Court.

4. Recording the aforesaid submission, this petition is disposed of. The parties are directed to get remedy before the civil court.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Kadanayanallur Police Station, Tirunelveli District.

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

+1cc to M/S.P.T.THIRAVIAM, Advocate SR.No.41558.

CRL.O.P. (MD) No.17927 of 2017
09.01.2018