



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.06.2018
CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WEB COPY

CRL.O.P.(MD)No.7423 of 2018

P.Manimaran

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Melur Taluk,
Madurai.

2.The Inspector of Police,
Melur Police Station,
Melur Taluk,
Madurai District.

: Respondents

Prayer:Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents to register a case on the basis of the petitioner's complaint dated 22.02.2018 for the offence punishable under Section 3 (f) (g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 within the stipulated time as fixed by this Court.

For Petitioner

: Mr.T.Lajapathi Roy

For Respondents

: Mr.M.Chandra Sekaran

Additional Public Prosecutor

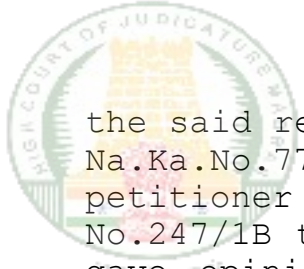
O R D E R

This petition is filed seeking a direction to the respondents to register a case on the basis of the petitioner's complaint dated 22.02.2018 for the offence punishable under Section 3 (f) (g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 within a time frame.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. According to the petitioner, the petitioner made a complaint before the respondent police against the proposed accused. But sofar no action has been taken. Hence the present petition has been filed.

4. The learned Additional Public Prosecutor on instructions, <https://hcservices.ecourts.gov.in/hcservices/> would submit that the petitioner has already made a representation on 16.06.2016 before the District Collector, Madurai. Pursuant to



the said representation, the Tahsildar, Melur has passed an order in Na.Ka.No.7781/A1/2016 dated 08.11.2016 in which he observed that the petitioner has no right over the property situated in Survey No.247/1B to the extent of 2.76 Acres at Kottakudi Village and also gave opinion to dismiss the said complaint. Further, the present complaint has also been enquired by the second respondent police. Therefore, the petitioner has to approach the Civil Court to work out his remedy.

5. In the light of the above, this Court is of the view that the petitioner shall approach the Civil Court to work out his remedy by way of filing a Suit with regard to the property in question. Hence, this Criminal Original Petition is dismissed with liberty to the petitioner to file a Suit before the competent Civil Court seeking his remedy.

6. The respondent is directed to serve a copy of the order passed by the Thasildar, dated 08.11.2016 to the learned counsel for the petitioner within a period of two weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Melur Taluk,
Madurai.
2. The Inspector of Police,
Melur Police Station,
Melur Taluk,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P. (MD) No.7423 of 2018
11.06.2018

pjl

JM/SV MMS/SAR 3/27.06.2018/2P/4C