



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2018

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WEB COPY

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P. (MD) No.10532 of 2018

Thahakhan

... Petitioner

-Vs-

1.The Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
Thiruppullani Police Station,
Ramanathapuram District.

... Respondents

Prayer: Criminal Original petition - filed under Section 482 of Code of Criminal Procedure, to direct the second respondent police to register the case on the basis of the petitioner's complaint in C.S.R.No.47/2018 dated 17.02.2018.

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

O R D E R

This Criminal Original petition has been filed to direct the second respondent police to register the case on the basis of the petitioner's complaint in C.S.R.No.47/2018 dated 17.02.2018.

2.The learned counsel for the petitioner submitted that the land in Survey No.224 /1 224/2 and 224/9, situated at Periyapattinam Group Natham, Keelakarai Taluk, Ramanathapuram District is his ancestral property. Since the proposed accused disturbed the peaceful possession and enjoyment of the petitioner, the petitioner filed a petition before the Revenue Officer, Ramanathapuram and got an order in his favour. Thereafter, the proposed accused disturbed the possession of the petitioner, hence he filed an appeal before the District Revenue Officer and the same was ordered in favour of the proposed accused. It is submitted that the said order was fabricated and forged by the proposed accused. Hence, the petitioner lodged a complaint against the proposed accused. Since no action has been taken, the petitioner is before this Court.



3. The learned Additional Public Prosecutor would submit that the complaint lodged by the petitioner was enquired and closed as "Civil dispute". A copy of the closure report is also produced before this Court.

4. A perusal of the said closure report would disclose that no enquiry was made on the allegation made by the petitioner in his complaint. Therefore, this Court is inclined to direct the respondent police to conduct the enquiry afresh with regard to the allegation made by the petitioner as against the proposed accused and complete the same, after providing necessary opportunity to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 CC TO Mr.K.MATHAN, ADVOCATE IN SR No.70587

TA

RJ/SB/SAR-2 : 11/07/2018 : 2P/5C

Cr1.O.P. (MD) No.10532 of 2018
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