

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.13898 of 2020

1.Ayesha Beevi
W/o.Meera Mydeen

2.Raizan Parveen
D/o.Meera Mydeen

3.Meezana
D/o.Meera Mydeen

4.Shaadoona
D/o.Meera Mydeen

All residing at No.3/14,
Quite Millath Street
Perungulam Village,
Perungulam Post
Ramanathapuram Taluk
Ramanathapuram District
Tamil Nadu

Now presently residing at
No.103.11, Halman Damai Lingtang
Kampung Rawa Satn.10150
Pulan Pinag, Malaysia

All Represented by power agent

5.S.A.Mohamed Ismail
S/o.Late Haji S.Amanullah
Door No.1/40, North Street
Perungulam Village,
Perungulam Post
Ramanathapuram Taluk
Ramanathapuram District
Tamil Nadu-623 536.

(By vide Doc.No.76/2019
Velipattinam SRO Ramanathapuram)

...Petitioners

Vs

1. The Commissioner of Police
Greater Chennai,
Chennai.

2. The Inspector of Police
J8, Neelangarai Police Station
Chennai-600 041.

...Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent police to register the case based on the complaint dated 18.09.2019 against all the persons and to conduct the inquiry and investigate the same.

For Petitioners : Mr.A.Thiyagarajan, Senior Counsel
For M/s.S.Ramesh Kumar

For Respondents : Mr.S.Karthikeyan
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed seeking a direction, directing the second respondent police to register a case on the complaint dated 18.09.2019.

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

3. The learned Senior Counsel appearing for the petitioners submitted that the fifth petitioner lodged a complaint before the first respondent, namely the Commissioner of Police. On receipt of the same, the said complaint was referred to the Inspector of Police, Land Grabbing Cell. Thereafter, the Inspector of Police, Land Grabbing Cell, did not register any FIR on the complaint lodged by the fifth petitioner, though there are specific allegations to attract the offences as against the counter parties.

4. The learned Additional Public Prosecutor for the respondents submitted that the petitioners averred that a complaint was lodged before the Commissioner of Police and the same was forwarded to the file of the Inspector of Police, Land Grabbing Cell, Chennai. The petitioners have failed to implead the Inspector of Police, Land Grabbing Cell, Chennai as

respondent and instead of that, they impleaded the Inspector of Police, J-8 Neelangarai Police Station. Further, even till today, the second respondent did not receive any complaint from the petitioners as well as nothing forwarded by the first respondent to the file of the second respondent.

5. Considering the above submissions, if the crime is committed within the jurisdiction of the second respondent, the petitioners are at liberty to lodge a fresh complaint before the second respondent. On receipt of the same, the second respondent is directed to conduct enquiry on the complaint lodged by the petitioners, if any and pass orders in accordance with law.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police
Greater Chennai,
Chennai.
2. The Inspector of Police
J8, Neelangarai Police Station
Chennai-600 041.
3. The Public Prosecutor
High Court,
Madras.

+1cc to Mr.S.Ramesh Kumar, Advocate, SR.No.29181 of 2020

Crl.O.P.No.13898 of 2020

VGI (CO)
RN(04/11/2020)