



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.12223 OF 2021

Latha
W/o,Elumalai

... Petitioners

Versus

1. The State rep. By
The Superintendent of Police,
Kallakurichi,
Kallakurichi District.
2. The State rep.by
The Inspector of Police,
Elavansurkottai Police Station,
Elavansurkottai,
Kallakurichi District.

... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register the petitioner complaint on the basis of the complaint given by the petitioner dated 21.06.2021 and consequently to direct the first respondent to supervise the investigation.

For Petitioners : Mr.D.Arun

For Respondents : Mr.E.Raj Thilak
Government Advocate, (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to direct the 2nd respondent to register the petitioner complaint on the basis of the complaint given by the petitioner dated 21.06.2021 and consequently direct the first respondent to monitor the investigation.

2. The learned counsel for the petitioner submitted that the petitioner lodged the complaint on 21.06.2021 to the respondent



police and filed this petition seeking to register F.I.R based on the complaint since prima facie offences are made out against the named persons.

3. The learned Public Prosecutor submitted that on the complaint of the petitioner CSR.No.169 of 2021 was assigned. Both the petitioner and the named persons in the complaint were called for enquiry on 24.06.2021 and the case was enquired and the same was closed, on finding that the dispute between them seems to be civil in nature.

4. On the submissions and perusal of the typed set of papers, it is seen that there is a boundary dispute between the petitioner and one Palanisamy, Rajesh, Rajasekar, Sanguvalli, for which civil dispute is pending in O.S.No.231 of 2019 before the civil court. The named persons have put up the wall and also removed some trees, for which the complaint has been lodged. The petitioner had already initiated the civil suit in O.S.No.231 of 2019, the petitioner is advised to seek remedy through the civil court.

5. With the abovesaid directions, the Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mfa

To

1. The Superintendent of Police,
Kallakurichi,
Kallakurichi District.
2. The Inspector of Police,
Elavansurkottai Police Station,
Elavansurkottai,
Kallakurichi District.
3. The Public Prosecutor,
High Court,
Madras.

CRL.O.P.NO.12223 OF 2021

SKY(CO)
PBS/09/08/2021