



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.15592 of 2021

G.Dayalan

... Petitioner

Versus

1. The Commissioner of Police
Greater Chennai Corporation
No.132, Commissioner Office Building
EVK Sampath Road
Vepery, Periyamet
Chennai 600 007.
2. The Inspector of Police
JJ Nagar Police Station
Mogappair East
Chennai.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent police to register FIR on the basis of the CSR.No.118 of 2021 issued by the second respondent police on 19.02.2021 and investigate the matter in accordance with law.

For Petitioner	:	Mr.T.Arivarasan
For Respondents	:	Mr.A.Damodaran Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the second respondent police to register FIR on the basis of CSR.No.118 of 2021 issued by the second respondent police on 19.02.2021 and investigate the matter in accordance with law.



2. The petitioner is the owner of the subject property and he leased the same to one Chitravadivu, wife of Venkatesan, and later she has not renewed the tenancy lease and also not paid the rent. Further, the said Chitravadivu had been in arrears of rent of Rs.18 lakhs. In this regard, the petitioner lodged a complaint on 17.02.2021 to the Inspector of Police, JJ Nagar Police Station. Though CSR.No.118 of 2021 was assigned, thereafter, no enquiry has been conducted. On instigation of Mr.George Miller, Inspector of Police (Crime), the said Chitravadivu and his husband Venkatesan, are continuing their illegal act and harassing the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner had executed a lease agreement with Chitravadivu and after expiry of the lease period on 19.11.2019, he had not renewed the lease. However, the said Chitravadivu forged the signature of the petitioner and produced the forged lease deed to the the District Manager TASMAC. Based on the forged lease deed, the TASMAC authorities have renewed license to run the bar attached to TASMAC shop bearing No.8952. The petitioner had earlier lodged a complaint to the District Manager, TASMAC, Thiruvallur District to cancel the bar license and remove the TASMAC shop bearing No.8952 and bar from the premises, but no action has been taken.

4. The learned counsel further submitted that using the forged lease deed document, the said Chitravadivu had created a lease agreement for the said premises. Thereafter, She created a bogus lease agreement in respect of the above premises with her son, namely Balaji, who in turn entered into an agreement of lease deed dated 11.02.2020 with one Dilli S/o.Ponnusamy. Despite complaint, all these persons using political influence, created forged document and extended the bar license. Thereafter, the petitioner finding no option, sent a report to the Commissioner of Police on 29.06.2021, even then no action has been taken.

5. The learned Government Advocate (Crl.Side) has submitted that earlier on the complaint of the petitioner, the Inspector of Police, J.J.Nagar, Police Station on 17.02.2021 had assigned CSR.No.118 of 2021 and conducted enquiry and closed the case. Admittedly, no final report has been sent to the petitioner. Further, the petitioner's complaint dated 29.06.2021 to the Commissioner of Police, was forwarded to the respondent. The respondent also produced a letter dated 07.09.2021 informing that both the petitioner and Chitravadivu were enquired and both



agreed to approach the Civil Court.

6. It appears that both CSR.No.118 of 2021 as well as the complaint lodged before the Commissioner of Police were closed on 07.09.2021 by the Inspector of Police, though serious allegation made against the Crime Inspector Mr.George Miller.

7. This Court finds that in the complaint, there is a specific complaint about creation of forged document and the petitioner though intimated the same to the TASMAG, District Manager, Tiruvallur District, he had renewed the license for the shop bearing No.8952 and the bar. Further there are serious allegations made against Mr.George Miller, the Inspector of Police (Crime), J.J.Nagar Police Station. Hence, closing the complaint as a civil in nature is not acceptable.

8. In view of the same, this Court finds that it is appropriate that the Deputy Commissioner of Police, Anna Nagar Police Station shall conduct enquiry and proceed with the case.

9. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

dna

To

1. The Commissioner of Police,
Greater Chennai Corporation,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Periyamet,
Chennai 600 007.



2. The Inspector of Police,
JJ Nagar Police Station,
Mogappair East,
Chennai.

3. The Deputy Commissioner of Police,
Anna Nagar Police Station,
Chennai.

4. The Public Prosecutor
High Court, Madras.

CRL.O.P.No.15592 of 2021

KSM(CO)
SU(27/09/2021)