



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.OP.No.20833 of 2021

Vijayendra Shanmuganathan

... Petitioner

Versus

1.The State of Tamil Nadu,
Represented by
The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Periyamet,
Chennai - 600 007.

2.The State of Tamil Nadu,
Represented by
The Inspector of Police,
J-10, Semmancheri Police Station,
Chennai - 600 115.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to register First Information Report (FIR), based on the petitioner's complaints dated 13.07.2021 and 28.08.2021.

For Petitioner : Mr.V.Rajasekar

For Respondents : Mr.R.Vinothraja
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition is filed to direct the second respondent to register First Information Report (FIR), based on the petitioner's complaints dated 13.07.2021 and 28.08.2021.

2.The contention of the petitioner is that the petitioner had lodged a complaint on 13.07.2021 and C.S.R.No.239 of 2021 has been assigned on 15.07.2021, thereafter no action has been



taken. Followed by it, the petitioner had sent an online complaint dated 28.08.2021, thereafter too no action has been taken. Hence filed this above petition.

3.The learned Government Advocate [Crl. Side] submits that it is a property dispute and CSR.No.239 of 2021 has been assigned, enquiry has been conducted and the respondent police has directed the petitioner to appear before the respondent police to furnish the documents and give clarification.

4.He further submits that the petitioner has got a dispute with his brother viz., Mahendra Shanmuganathan with regard to their joint property, which was given for a development and later a dispute arose and O.A.No.200 of 2021 has been filed before this Court and the same is pending. This Court has referred the said O.A.No.200 of 2021 for arbitration and also appointed Mr.Justice K.Venkatraman, Former Judge of this High Court as arbitrator and the arbitration proceedings is still pending. He further submits that it is a civil dispute, after due enquiry the complaint was closed on 22.07.2021 and the closure report is yet to be served to the petitioner.

5.Considering the submission and on perusal of the materials, this Court finds that the case is civil in nature and further enquiry has been conducted in C.S.R.No.239 of 2021 and the same has been closed on 22.07.2021. In view of the same, the second respondent police is directed to serve the copy of the closure report to the petitioner. Thereafter, the petitioner would take appropriate action according to law.

6.With the above directions, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

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



2.The Inspector of Police,
J-10, Semmancheri Police Station,
Chennai - 600 115.

3.The Public Prosecutor,
High Court,
Madras.

Cr1.OP.No.20833 of 2021

PMK (CO)
GN (01/12/2021)