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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20791 of 2021

S.Prasanna

... Petitioner

Versus

1. The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner of Buildings,
EVK Sampath Salai,
Vepery,
Chennai - 600 007.
2. The Deputy Commissioner of Police, Triplicane,
Greater Chennai Police,
Wallajah Road,
Triplicane,
Chennai - 600 005.
3. The Inspector of Police,
F-5, Choolaimedu Police Station,
Athreyapuram Main Road,
Sriramapuram, Gangai Amman Kovil Street,
Choolaimedu,
Chennai - 600 094.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to register the complaint of the petitioner dated 08.10.2020 on the file of the fourth respondent.

For Petitioner : Mr. J.Deliban

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

ORDER

This petition has been filed to direct the respondents to register the complaint of the petitioner dated 08.10.2020 on the file of the third respondent.

2. The property at Old Door No.7, New Door No.13, Kamala Nehru 1st Street, Choolaimedu, having an extent of 1200 Sq.ft. was originally owned by her mother. According to the petitioner, in the said property, she is having 50% share and



her brother is having 50% share. Taking advantage of the petitioner residing at Hosur, the petitioner's brother entered into the property. Now the petitioner wants to sell the property for the purpose of her daughter marriage. The petitioner and her family were not allowed to enter into the property and threatened by her brother, hence, she lodged a complaint on 08.10.2020, but no action has been taken. Thereafter, the petitioner filed a complaint to the Commissioner of Police on 03.08.2021. Subsequently, the petitioner has filed the above petition on 26.10.2021, which was numbered on 29.10.2021. However, the petitioner was not called for enquiry and no enquiry has been conducted.

3. The learned Government Advocate (Crl.Side) submitted that in this case, there was a dispute between the petitioner and her brother with respect to a property. The petitioner herself admitted that she has got 50% share in the property, i.e., 600 Sq.ft. Admittedly, the petitioner's brother is in possession and enjoyment of the property. He further submitted that an enquiry has been conducted on the petitioner's complaint and it was closed on 02.11.2021 on the finding that it is a family dispute, which is civil in nature.

4. At this juncture, the learned counsel for the petitioner submits that no closure report has been served to her.

5. In view of the same, the third respondent Police is directed to furnish a copy of the closure report to the petitioner. Thereafter, the petitioner shall take recourse in the manner known to law.

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

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

dna/rgi

To

1. The Commissioner of Police,
Greater Chennai Police,
No. 132, Commissioner of Buildings,
EVK Sampath Salai,
Vepery,
Chennai - 600 007.



2. The Deputy Commissioner of Police, Triplicane,
Greater Chennai Police,
Wallajah Road,
Triplicane,
Chennai - 600 005.

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3. The Inspector of Police,
F-5, Choolaimedu Police Station,
Athreyapuram Main Road,
Sriramapuram, Gangai Amman Kovil Street,
Choolaimedu,
Chennai - 600 094.

4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.20791 of 2021

RSV(CO)
SB(26/11/2021)