



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.22435 of 2021

P.Raji

... Petitioner

Versus

1. The Commissioner of Police
Salem City, Line Medu,
Salem.

2. The Inspector of Police,
Veeranam Police Station,
Salem District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to register a case based on the petitioner's complaint dated 10.09.2021 and file an FIR.

For Petitioner : Mr.M.Rajendiran
For Respondents: Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

This petition has been filed to direct the second respondent to register an FIR based on the petitioner's complaint dated 10.09.2021.

2. The petitioner owns a house property at 95/257, Sathya Nagar, Krishnan Puthur, Veeranam, Salem and rented the same to one Jeeva Periyasamy. According to the petitioner, the said Jeeva Periyasamy now vacated the said property, but put up a lock and not permitting the petitioner to deal with the property. The petitioner wish to demolish the said house and put up a new construction. Hence, the present petition.

3. The learned Additional Public Prosecutor submitted that complaint and counter complaint where given by both the petitioner and the said Jeeva Periyasamy. Based on which, five complaints have been registered and five CSR are pending against each other. According to the Jeeva Periyasamy, the petitioner is retaining the lease amount of Rs.5,00,000/- with him. Further some valuables are left in the house and the same is put under lock and key by the house owner. On the other hand, the petitioner submitted before the



respondent police that the said Jeeva Periasamy is not permitting to access his property.

4. It is admitted that the said Jeeva Periasamy had vacated the house and he is no more in possession. The only grievance is that the property is under lock and key and the valuables of the said Jeeva Periasamy are kept in the House. Whether the Jeeva Periasamy paid the lease amount of Rs.5,00,000/- and whether it has to be repaid, has to be determined before the respondent Police.

5. In view of the same, the petitioner as well as the said Jeeva Periasamy shall appear before the respondent Police on 13.12.2021 and the respondent Police shall resolve the issue between them. Further, the respondent shall open the lock in the presence of both the petitioner and the said Jeeva Periasamy and if the key is not available, they can break open the lock and take appropriate action.

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

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

dna/mdl

To

1. The Commissioner of Police
Salem City, Line Medu,
Salem.

2. The Inspector of Police,
Veeranam Police Station,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.M.Rajendiran, Advocate, S.R.No. 64239

CRL.O.P.No.22435 of 2021

AK(CO)
GN(09/12/2021)