



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.22957 of 2019

Sundaresan

...Petitioner

Vs.

1. The State:

Represented by Commissioner of Police,
Chennai City,Veppery,Chennai.

2. The State: Represented by

The Inspector of Police
R-3 Ashok Nagar Police Station,
Chennai 600 083.

3. R.Akilan

...Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to direct the first respondent to take appropriate departmental action against the second respondent for colluding with the third respondent and furnishing false information to the Court during the hearing in O.P.20138 of 2019 dated 19.08.2019 and to conduct an enquiry against second respondent in accordance with law.

(Prayer is amended as per order in Cr1.M.P.18287 of 2019 in Cr1.O.P.No.22957 of 2019 dated 11.12.2019.)

For Petitioner : Mr.N.Muthukrishnan

For Respondents: Mr.C.E.Pratap for R1 and R2
Govt.Advocate
Mr.G.Murugendran for R3

O R D E R

This petition has been filed seeking to direct the first respondent to take appropriate departmental action against the second respondent for colluding with the third respondent and furnishing false information to the Court and to conduct enquiry against second respondent in accordance with law.

2.The case of the petitioner is that pursuant to the advertisement made by the third respondent, to sell residential



plots through EMI Scheme, the petitioner had booked one plot for monthly payment of Rs.1500/- and the petitioner had paid a total sum of Rs.1,10,000/- to the third respondent. As per the third respondent's promise, he had to register the property in the name of the petitioner after receiving a sum of Rs.1,10,000/-, however, he did not register the property.

3.It is the further case of the petitioner that thereafter, the petitioner requested the third respondent to return the amount paid by him, however, the third petitioner threatened him with dire consequences. Hence, the petitioner lodged a complaint with the second respondent as against the third respondent. According to the petitioner, the second respondent had acted in a very negligent manner without following proper procedure. Hence, this petition.

4.The learned counsel appearing for the petitioner submits that the petitioner has made representation to the Commissioner of Police dated 19.08.2019 through counsel, seeking to take action against the third respondent and to provide sanction to take action against the second respondent, hence, this Court may issue direction to the Commissioner of Police to consider the said representation and to dispose of the same within a reasonable time frame.

5.The learned Government Advocate appearing for the respondents 1 and 2 raise no serious objection for the limited relief sought for by the learned counsel appearing for the petitioner.

6.In view of the limited relief sought for by the learned counsel appearing for the petitioner, this Court directs the petitioner to send a copy of the representation dated 19.08.2019 to the Commissioner of Police along with a copy of this order, so as to enable the Commissioner of Police to pass appropriate orders. On receipt of such representation, the Commissioner of Police, shall consider the same and pass appropriate orders, within a period of eight weeks from the date of receipt of the said representation.

7.This criminal original petition is accordingly disposed of.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Chennai City,
Veppery,
Chennai.

2. The Inspector of Police
R-3 Ashok Nagar Police Station,
Chennai 600 083.

3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to Mr.N.Muthukrishnan, Advocate, S.R.No.43795 (02/09/2021)

Crl.O.P.No.22957 of 2019

SKY(CO)
RGA(25/08/2021)