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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.OP.No.426 of 2022

Govindharaj ... Petitioner

Vs.

1.The Superintendent of Police,
Dharmapuri.

2.The Deputy Superintendent of Police,
Dharmapuri.

3.The Inspector of Police,
B1-Town Police Station,
Dharmapuri.

... Respondents

Prayer: Criminal Original Petition has been filed under Section 482 Cr.P.C to direct the 3rd respondent to register the FIR on the complaint of the petitioner dated 05.09.2021.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.R.Vinothraja

Government Advocate (Crl.Side)

ORDER

The criminal original petition has been filed to direct the 3rd respondent to register the FIR on the complaint of the petitioner dated 05.09.2021.

2.The grievance of the petitioner is that the petitioner lodged a complaint dated 05.09.2021. In the complaint, he categorically stated about the pendency of the appeal suit before this Court and the petitioner being in legal possession of the property. Earlier, civil suits in O.S.Nos.9 of 2014 and 13 of 2016 were decreed, in which, it is confirmed that the petitioner being a adopted son of Chinnammal and with regard to the right over the property, which had negatived, against which, the petitioner filed appeal suit, which is pending before this Court. Now, one Sathiyaraj claiming to have purchase the property from Chinnammal is forcibly attempting to evict the petitioner. Further, the petitioner produced the photographs



showing his house being ransacked and 20 Goondas standing in front of the house forcing the petitioner to evict. Despite all these materials, the respondent police have not taken any proper action.

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3.The learned Government Advocate (Crl.side) submits that the petitioner is the adopted son of one Chinnammal. The said Chinnammal lodged a complaint, in which, CSR No.591 of 2021 assigned on 31.08.2021. Further, the petitioner was called for enquiry. Chinnammal had settled the property to Sathiyaraj, the said Sathiyaraj is non other than the grandson of Chinnammal. The petitioner was given alternative property in settlement and the petitioner is refusing to evict the property, where, the rights have now been given to Sathiyaraj. The petitioner is creating unnecessary disturbance and for that purpose, the petitioner called for enquiry. If the petitioner appears before the respondent police along with the documents, the same would be considered and appropriate action would be taken.

4.The learned counsel for the petitioner submits that the petitioner is ready and willing to appear before the respondent police on any given date.

5.In view of the same, the petitioner is directed to appear before the respondent police on 24.01.2022 along with required proof and thereafter, the respondent police is directed to enquire and proceed the matter in accordance with law preferably within a period of three weeks.

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

Sd/-

Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

sms

To

1.The Superintendent of Police,
Dharmapuri.

2.The Deputy Superintendent of Police,
Dharmapuri.



3.The Inspector of Police,
B1-Town Police Station,
Dharmapuri.

4. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.C.Prabakaran, Advocate Sr.NO. 2379

Cr1.OP.No.426 of 2022

GJ(CO)

A.SK(21.01.2022)