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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.892 of 2022

K.Veerappan

... Petitioner

Versus

The State represented by
The Deputy Superintendent of Police,
Sethiyathopu,
Cuddalore District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the complaint dated 29.10.2021 under the provisions of Prevention of SC & ST Atrocities Act and its Rules and investigate the matter in accordance with the law.

For Petitioner : Mr.S.Arokiamaniraj

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

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O R D E R

This Criminal Original Petition is filed to direct the respondent to register the complaint dated 29.10.2021 under the provisions of Prevention of SC & ST Atrocities Act and its Rules and investigate the matter in accordance with the law.

2.The petitioner had sent a complaint by post on 29.10.2021, no action has been taken.

3.The grievance of the petitioner is that the petitioner belongs to the Scheduled Caste community and he has been enjoying the property for the past 40 years in Survey Numbers 16 and 17 of Valayama Devi Kizgpathi Village, Puvanagiri Taluk, Cuddalore District. This being the case, the Tamil Nadu Water Supply and Drainage Board had taken steps to evict the petitioner from the said premises stating that they are going to lay the water supply pipe through the petitioner's agricultural lands. Hence, as per the Civil Procedure Code, he is entitled



for the land, since the petitioner questioned the same.

4.He further submitted that the land assigned to the Scheduled Caste Community people cannot be assigned to any other purpose. Hence, the petitioner had lodged a complaint against the Tamil Nadu Water Supply and Drainage Board officials.

5.The learned Additional Public Prosecutor submits that the complaint has been received by post and C.S.R.No.238 of 2021 had been assigned on 01.11.2021. The petitioner so far not appeared before the respondent police. He further submits that the Assistant Engineer of Tamil Nadu Water Supply and Drainage Board viz., one Arulanandam had lodged a complaint against the petitioner, for which C.S.R.No.653 of 2021, assigned on 27.10.2021. The petitioner as a counter blast taking advantage of the community had lodged a false complaint. To verify the veracity of the petitioner's complaint the petitioner has to appear before the respondent police along with the necessary documents and give his statement and thereafter the respondent police would take appropriate action.

6.The learned counsel on instruction submits that the petitioner shall appear before the respondent police on 01.02.2022, along with the copy of the complaint and the necessary documents in support of his contention.

7.In view of the same, the petitioner is directed to appear before the respondent police on 01.02.2022, along with the copy of the complaint and the necessary documents. Thereafter, the respondent police is directed to take appropriate action in the manner known to law.

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

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

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To

1.The Deputy Superintendent of Police,
Sethiyathopu,
Cuddalore District.



2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Arokiamaniraj, Advocate, S.R.No.3205

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RSV(CO)
CB(01/02/2022)