



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1138 of 2022

N.Ismail

... Petitioner/Defacto complainant

Versus

State rep. by
The Inspector of Police,
S-11, Tambaram Police Station,
Tambaram,
St. Thomas Mount District,
Chennai - 600 045.

... Respondent/Complainants

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police namely the S-11, Tambaram Police Station to register a case on the petitioner's complaint dated 31.12.2021 given before the respondent police and to investigate the same in accordance with law.

For Petitioner : Mr.R.Sasikumar

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

O R D E R

This Criminal Original Petition is filed to direct the respondent police namely the S-11, Tambaram Police Station to register a case on the petitioner's complaint dated 31.12.2021 given before the respondent police and to investigate the same in accordance with law.

2.The contention of the petitioner is that the petitioner had lodged a complaint and C.S.R.No.1382 of 2021 assigned on 31.12.2021. The said C.S.R.No. is kept pending. The petitioner is a tenant under the land lord viz., Issac Prabakaran. The said Issac Prabakaran had put up a blue metal sheet fencing by obstructing the shutter of the shop of the petitioner and restrained the petitioner from entering into the said shop



premises. The petitioner is willing to evict the premise and also to resolve the issue amicably, on the other hand, the land lord is using the force to evict the petitioner. Hence, filed the above petition.

WEB COPY

3.The learned Additional Public Prosecutor submits that the counter complainant Issac Prabakaran is the land lord and the petitioner is the tenant. The petitioner had filed two RCOP cases, which was dismissed by the Civil Court. The Civil Court order is in favour of the land lord. Against which the petitioner informed that he had filed a rent control appeal in Sr.No.77 of 2022. The respondent police are keeping them away from the civil disputes, since already the petitioner and the counter complainant had approached the civil Court. If the petitioner appear before the respondent police, the issue would be resolved.

4.The learned counsel appearing for the petitioner on instruction submits that the petitioner shall appear before the respondent police on 02.02.2022, along with the copy of the complaint.

5.In view of the same, the petitioner is directed to appear before the respondent police on 02.02.2022, along with the copy of the complaint and the documents in support of his contention. Thereafter the respondent police is directed to sought out the issue between the petitioner and the counter complainant Issac Prabakaran.

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

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ah

To

1.The Inspector of Police,
S-11, Tambaram Police Station,
Tambaram,
St. Thomas Mount District,
Chennai - 600 045.



2.The Public Prosecutor,
High Court, Madras.

WEB COPY

+1cc to Mr.V.R.Appaswamee, Advocate Sr.3901

CRL.O.P.No.1138 of 2022

gpl[col]
srg 04/02/2022