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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.2136 of 2022

S.Sumathi

...Petitioner

Versus

1. The State Rep. by
District Superintendent of Police,
Land Grabbing Cell,
Chengalpattu.

2. The Inspector of Police,
Land Grabbing Cell,
Chengalpattu.
Chengalpattu District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, to direct the 1st respondent to monetary investigate and 2nd respondent register the FIR based on the petitioner complaint dated 29.12.2021.

For Petitioner : Mr.S.Chandranathan

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

O R D E R

This petition has been filed to direct the 1st respondent to monetary investigate and 2nd respondent register the FIR based on the petitioner complaint dated 29.12.2021.

2.The grievance of the petitioner is that he sent a representation on 29.12.2021 by giving a details about the commission of offence by the offenders by forging the revenue records and the Government documents. Despite the same, the respondent Police have not taken any action in this case and FIR was not registered.

3.It is the contention of the petitioner that he purchased a property bearing Old Survey No.11/4 & New Survey No.11/4C measuring an total extent of 1200 sqft from one Vadivelu, S/o.Kuppusamy and Natarajan, S/o.Kuppusamy in Thazhambur, Thiruporur Taluk, Chengalpatu District. The said Vadivelu and



Natarajan claimed that they purchased the said property from one Srinivasan on 10.12.2014. The petitioner believing their words, paid a sum of Rs.14,50,000/- and got the property registered in his name in Doc.No.1914 of 2019. Thereafter, the petitioner gave an application for change of patta on 06.02.2021 before the Thasildar Vandalur. Since the Thasildar has not acted upon, he filed a Writ Petition in W.P.No.5616 of 2021. Based on the order of this Court, enquiry was conducted and during enquiry it was found that the subject land is anathina property. Then only the petitioner came to know that the accused had forged the revenue records and using the forged document, cheated him to the tune of Rs.14,50,000/-. Hence, he sought the respondent Police to register a case against them and recover the money. Despite the same, the respondent Police have not acted upon.

4.The learned Additional Public Prosecutor submitted that if the petitioner appears before the respondent Police along with a copy of the complaint and supporting documents, the respondent Police will take necessary action.

5.The learned counsel for the petitioner on instructions submitted that the petitioner will appear before the respondent Police on 10.02.2022 along with a copy of the sale deed, patta and other documents in support of the complaint.

6.In view of the above, the petitioner is directed to appear before the respondent Police on 10.02.2022. Thereafter, the respondent Police shall enquire the complaint and proceed in accordance with law. If any cognizable offence is made out against the offenders that they have forged documents, immediately the respondent Police shall register the First Information Report and conduct investigation within a period of six months.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dna

To

1. The District Superintendent of Police,
Land Grabbing Cell,
Chengalpattu.



2. The Inspector of Police,
Land Grabbing Cell,
Chengalpattu.
Chengalpattu District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.K.Duraimurugan, Advocate, S.R.No.6063

CRL.O.P.No.2136 of 2022

RP (CO)
RGA (07/02/2022)