



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.27510 of 2021

and

W.M.P.No.29035 of 2021

1.Sindhamani @ Saraswathi

2.Balakrishnan

... Petitioners

Vs

1.Revenue Divisional Officer,
Tiruchengode Revenue Division,
Tiruchengode, Namakkal District-637 211.

2.Parameswaran

3.Chinnakannan @ Ramasamy

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent herein to take our complaint/petition dated 03.12.2021 filed under section 145 of Criminal Procedure Code on file out of turn and pass necessary orders by following due process of law within the time that may be fixed by this Court.

For Petitioners :Mr.T.L.Thirumalaisamy

For Respondents :Mr.V.Jeevagiridharan
Additional Government Pleader (for R-1)

ORDER

This writ petition is filed to issue a Writ of Mandamus to direct the first respondent herein to take the petitioners' complaint/petition dated 03.12.2021 filed under Section 145 of Criminal Procedure Code on file out of turn and pass necessary orders by following due process of law within the time that may be fixed by this Court.



2. There is a dispute with regard to the land between the petitioners and the respondents 2 and 3 herein. In this regard, the petitioners lodged a complaint before the Inspector of Police, Molasi Police Station, Namakkal District, which was registered as FIR in Crime No.244 of 2021 dated 29.11.2021 for the offences under Sections 294(b), 427 and 506(ii) of IPC as against the second and third respondents herein. However, the said Inspector of Police failed to refer the matter before the first respondent for initiation of proceedings under Section 145 Cr.P.C. Therefore, the petitioner made a complaint before the first respondent to initiate proceedings under Section 145 Cr.P.C. On receipt of the same, the first respondent called for report from the Tahsildar, Tiruchengode. That apart, the first respondent stated that no report was received from the jurisdictional Police Station.

3. Considering the above facts and circumstances of the case, the first respondent is directed to initiate proceedings under Section 145 Cr.P.C on the basis of the report from the Tahsildar, Tiruchengode and the jurisdictional Police Station, if any as against the respondents 2 and 3 herein.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-CCC)

//True copy//

Sub Assistant Registrar

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To

1. Revenue Divisional Officer,
Tiruchengode Revenue Division,
Tiruchengode,
Namakkal District-637 211.
2. The Tahsildar,
Tiruchengode,
Namakkal District.



3. The Inspector of Police,
Molasi Police Station,
Tiruchengode,
Namakkal District.

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+1cc to Mr.T.L.Thirumalaisamy, Advocate SR.No.138

+1cc to Government Pleader SR.No.632

W.P.No.27510 of 2021

KSM(CO)

GMV(10/03/2022)