



Crl.O.P.No.27351 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

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M.Rajasekar

...Petitioner

Vs.

1. The Superintendent of Police,
Thiruvannamalai District.

2. The Deputy Superintendent of Police,
Thiruvannamalai District.

3. The Inspector of Police,
Kilpennathur Police Station,
Thiruvannamalai District.

...Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the 3rd respondent Police to register FIR on the complaint of the petitioner dated 23.05.2022 in accordance with law and file final report within a stipulated time.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.S.Santhosh
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition is filed to direct the 3rd respondent Police to register FIR on the complaint of the petitioner dated 23.05.2022 in accordance with law and file final report within a stipulated time.

2. The learned counsel for the petitioner would submit that the petitioner has a right of pathway in the Government Poramboke land in S.F.Nos.266/2, 265/2 and 250/3. It is the case of the petitioner that on 23.05.2022, one Senthamizh and others had been cleaning the above site; when the petitioner questioned them and then attacked the petitioner and hence the petitioner had given a complaint to the Police. But no action has been taken.

3. The learned Government Advocate (Crl. Side) appearing for the respondents would submit that on the complaint given by the petitioner, a case has been taken on file in CSR No.579 of 2022 and the same was closed as mistake of fact on 01.06.2022. Similarly, a complaint has been given by the opposite party and the same has been registered in Crime No.207 of 2022 and the same is pending.

4. However, the learned counsel for the petitioner submitted that the



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opposite party only had caused the violence.

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5. In view of the submission made by the learned Government Advocate (Crl. Side) and taking into consideration of the fact that the main dispute is due to the pathway claimed by the petitioner which alleged to be located in Government Poromboke land, the petitioner shall workout his remedy by way of filing appropriate civil suit. It is needless to mention that if the petitioner is not satisfied with the enquiry conducted by the Police in CSR No.579 of 2022, he is at liberty to take appropriate action either under Section 156 (3) of Cr.P.C. or under Section 200 of Cr.P.C., to seek appropriate remedy.

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

09.11.2022

vum
Index:yes/No
Speaking order / Non speaking order

3/4



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R.N.MANJULA,J.

vum

To

1. The Superintendent of Police,
Thiruvannamalai District.
2. The Deputy Superintendent of Police,
Thiruvannamalai District.
3. The Inspector of Police,
Kilpennathur Police Station,
Thiruvannamalai District.
4. The Public Prosecutor,
Madras High Court,
Chennai.

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