



Crl.O.P No.28795 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.28795 of 2022

S.Elanthamizh

... Petitioner

Vs.

1. The Superintendent of Police,
(Land Grabbing Section),
District Police Head Quarters Office,
Ariyalur.

2. The Inspector of Police,
Thalavai Police Station,
Sendurai (TK),
Ariyalur District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to register the FIR based on the petitioner's complaint dated 15.05.2022 vide CSR.NO.79 of 2022 dated 16.05.2022 on the file of the 2nd respondent police.

For Petitioner : Mr.V.Durai Pandi

For R1 & R2 : Mr. S.Santhosh
Government Advocate (Crl.Side)

**ORDER**

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This Criminal Original Petition has been filed to direct the 2nd respondent to register the FIR based on the petitioner's complaint dated 15.05.2022 vide CSR.No.79 of 2022 dated 16.05.2022.

2. The learned counsel for the petitioner submitted that on 25.03.1995, patta was issued in the name of the petitioner's father-in-law under the Scheme of Free Patta for Homeless Adi Dravidar people to an extent of 0.03 cent, in survey No.25/21, bearing Patta No.88 situated at Adhanakurichi village, Senthurai Taluk, Ariyalur District; the said free house site Patta No.88, after demise of her father-in-law, who executed the settlement deed in favour of petitioner's husband, her husband is the sole owner of the said property; in search of job, herself and her husband went to Karnataka and they were working there as daily coolies; in the mean while, one person by name P.Sekar, trespassed and occupied the said property along with his family. In this regard the petitioner has made a complaint on 16.05.2022 before the second respondent police seeking police protection. Since no action has been taken so far, the present petition has been filed.



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3. The learned Government Advocate (Crl.side) for the first and second respondents submitted that on the complaint given by the petitioner a case was registered in C.S.R. No.79 of 2022 and the same was closed as the matter is purely civil in nature.

In view of the submission of the learned Government Advocate (crl.side), this Criminal Original Petition is **closed**. The petitioner is at liberty to approach the Civil Court to workout her remedy.

23.11.2022

Index : Yes/No
Speaking Order : Yes / No

jrs



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R.N.MANJULA, J.,

jrs

To:

1. The Superintendent of Police,
(Land Grabbing Section),
District Police Head Quarters Office,
Ariyalur.
2. The Inspector of Police,
Thalavai Police Station,
Sendurai (TK),
Ariyalur District
3. The Public Prosecutor,
High Court, Madras.

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