



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.7629 of 2022

Murugan

...Petitioner

Vs.

1.The Inspector of Police,
Anti Land Grabbing Special Cell,
Tenkasi District.

2.The Inspector of Police,
Anti Land Grabbing Special Cell,
Tirunelveli District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent to register the FIR on the complaint given by the petitioner 19.07.2021 as per the order of the learned Judicial Magistrate, Special court for Land Grabbing cases, Tirunelveli, in Crl.M.P.No. 12213 of 2021, dated 22.12.2021 and investigate the same in accordance with law.

For Petitioner : Mr.V.Muthuvelan

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking direction to direct the second respondent to register the FIR on the complaint given by the petitioner 19.07.2021 as per the order of the learned Judicial Magistrate, Special court for Land Grabbing cases, Tirunelveli, in Crl.M.P.No. 12213 of 2021, dated 22.12.2021.

2. The petitioner lodged a complaint before the second respondent alleging that he owned an ancestral property comprised in Survey Nos.431/15 to an extent of 96 cents, 431/3C to an extent of 1 acre and 10 cents and Survey No.432/2B to an extent of 85 cents situated at Sankarankovil Taluk, Tenkasi. The same was illegally transferred by Meenakshi wife of Marthandan. Marthandan son of Govindan conspired together and impersonate the petitioner and forged his signature. However, it was not registered by the second respondent and as such, the petitioner was constrained to file the petition for direction under Section 156(3) Cr.P.C in Crl.M.P.No.12213 of 2021 before the learned Special Court for Land Grabbing Cases, Tirunelveli, by an order dated 22.12.2021. The Court below directed the second respondent to register and



investigate the same. However, the second respondent without even registering any FIR conducted an enquiry and closed the same on 20.01.2022. When the Court below directed the second respondent to investigate, the second respondent ought to have registered the FIR and start the investigation. In the case on hand, the respondent admittedly without registering any FIR conducted the enquiry and closed.

3. In view of the above facts and circumstances, the closure report submitted by the second respondent in Crl.M.P.No.12213 of 2021 is set aside. The second respondent is directed to register the FIR and complete the investigation within a period of twelve weeks from the date of receipt of a copy of this order.

4. With this direction, this Criminal original Petition is disposed of.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Judicial Magistrate,
Special court for Land Grabbing cases,
Tirunelveli.
- 2.The Inspector of Police,
Anti Land Grabbing Special Cell,
Tenkasi District.
- 3.The Inspector of Police,
Anti Land Grabbing Special Cell,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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_RD(19.05.2022) 2P 5C