



Crl.OP.No.1827 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P. No.1827 of 2023

Veeraraghavan

... Petitioner

Vs.

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

2. The Deputy Superintendent of Police,
District Crime Branch,
Thiruvallur District,
Thiruvallur.

3. The Sub Inspector of Police,
District Crime Branch,
Thiruvallur District,
Thiruvallur.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent to transfer the investigation from the 3rd respondent to some other Inspector to investigate on the petitioner's complaint dated 13.01.2023 in accordance with law.



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For Petitioner : Mr.P.Krishnan

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

ORDER

This Criminal Original Petition has been filed to direct the 1st respondent to transfer the investigation from the 3rd respondent to some other Inspector to investigate on the petitioner's complaint dated 13.01.2023 in accordance with law.

2. The counsel for the petitioner submitted that one J.Suresh Babu had constructed building in Survey Nos.670 – 674 and 683/1B1, which belongs to Thiruvallur Municipality. It is allotted for the parking space for the public by Thiruvallur Municipality. In fact, Suresh Babu had purchased vacant site from some other persons. Thereafter, it appears that there is a construction of building without obtaining any permission. Thiruvallur Municipality had sent notice to him on 16.12.2020 and then on 27.10.2022. Meanwhile, Suresh Babu had sold the property to the petitioner's daughter on 08.04.2021, suppressing the fact that the property belongs to the Thiruvallur Municipality. In this regard, petitioner gave a complaint on



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20.01.2023 against Suresh Babu for selling the land which belongs to Thiruvallur Municipality. The third respondent had enquired the dispute and directed the petitioner to solve the issue amicably with the Suresh Babu. He further submitted that the 3rd respondent is acting one-sided in favor of the said Suresh Babu. Therefore, present petition is filed.

3. The learned Government Advocate (CrI. Side) submitted that allegations made in the complaint are not true. He further submitted that on the basis of the complaint given by the petitioner, enquiry in C.No.21/DCB/DSP/TVLR/2023 dated 13.01.2023 is pending.

4. In the nature of the facts and circumstances of the case and the allegations made in the petition, this Court finds that the 3rd respondent wanted the parties to settle the issues in the Police Station. 3rd respondent cannot direct the parties to settle the dispute during the enquiry conducted at the police station. Except this allegations, there is no other materials filed in support of transfer of investigation. Therefore, this Court is not inclined to transfer the investigation.



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5. Accordingly, this Criminal Original Petition is dismissed. However,

the 2nd respondent is directed to monitor the enquiry.

30.01.2023

Sma

To

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
2. The Deputy Superintendent of Police,
District Crime Branch,
Thiruvallur District,
Thiruvallur.
3. The Sub Inspector of Police,
District Crime Branch,
Thiruvallur District,
Thiruvallur.
4. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN,J

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