



Crl.O.P.Nos.30125 & 30161 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 20.06.2023

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.30125 & 30161 of 2022

V.Gopalakrishnan ... Petitioner in Crl.O.P.No.30125 of 2022

V.Babu ... Petitioner in Crl.O.P.No.30161 of 2022

Versus

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

2.The Deputy Superintendent of Police,
Avinashi Range, Avinashi,
Tiruppur District.

3.The Inspector of Police,
Sevur Police Station,
Avinashi, Tiruppur District.

... Respondents in both Crl.O.Ps.

Common Prayer : Criminal Original petitions filed under Section 482 Cr.P.C. praying to direct the respondent to register the complaint of the petitioner dated 11.11.2022 and investigate the same and file a final report before the appropriate Court within the reasonable time limit that may be fixed by this Court.



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For Petitioner : No appearance
in both Crl.O.Ps.

For Respondents : Mr.A.Gokulakrishnan
in both Crl.O.Ps. Additional Public Prosecutor

COMMON ORDER

These Criminal Original Petitions have been filed seeking a direction to the respondents to register the complaint of the petitioners dated 11.11.2022 and investigate the same and file a final report before the appropriate Court within the reasonable time limit.

2. The petitioner in both petitions are brothers. They had sent a separate complaint on 11.11.2022 to the respondents. Both the complaints are one and the same except the name of the complainant.

3. The gist of the complaint is that the petitioners' grand father owned an agricultural land to an extent of 3.12 acres in survey Nos.204/1, 205/3 and 206/4 in Karumapalayam village, Avinashi Taluk, Tiruppur



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District. There was some dispute between the legal heirs over the inheritance and enjoyment of the property. The complaint was given on the premise that some of the legal heirs are trying to create some fabricated documents over the disputed property and hence, sought direction restraining the concerned SRO not to register any document and the officials of Revenue department to not to act on the created documents.

4. Learned Additional Public Prosecutor submitted that a similar complaint has been given by one Subbammal and Devi. After enquiry, the complaint of Subbammal was assigned C.S.R.No.325 of 2022 and the complaint of Devi was assigned C.S.R.No.316 of 2022. Finding that the dispute is civil in nature, both the complaints came to be closed on 04.12.2022 and 28.11.2022, respectively. It is also found during enquiry that a civil suit between the legal heirs is pending in O.S.No.365 of 2023 before the Sub Court, Avinashi. There are roughly 36 legal heirs claiming right over the above said property. The petitioners have been advised to approach the



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Civil Court, since the online complaints of the petitioners are also with similar prayer. Finding that it is a civil dispute, no action has been taken.

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5. Recording the above submissions, both the Criminal Original

Petitions are dismissed.

20.06.2023

Index : Yes / No

Internet : Yes/No

Speaking / Non-speaking order

rsi



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To

- 1.The Superintendent of Police,
Tiruppur District,
Tiruppur.
- 2.The Deputy Superintendent of Police,
Avinashi Range, Avinashi,
Tiruppur District.
- 3.The Inspector of Police,
Sevur Police Station,
Avinashi, Tiruppur District.
- 4.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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