



Crl.O.P.No.32363 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.32363 of 2022

M.Kalai Selvi

... Petitioner

Vs.

1.The State Rep by
The District Superintendent of Police,
Kancheepuram, Kancheepuram District.

2.The Inspector of Police (Crime),
Madipakkam Police Station,
Chennai.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C.,
to direct the respondent to conduct the enquiry and register the FIR based on the
petitioner complaint dated 16.05.2022.

For Petitioner : Mr.K.Durai Murugan

For Respondents : Mr.S.Santhosh,
Government Advocate (crl.side)



Crl.O.P.No.32363 of 2022

ORDER

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This Criminal Original Petition has been filed to direct the second respondent to register the case, based on the petitioner's complaint dated 16.05.2022.

2. The learned counsel appearing for the petitioner submitted that the the petitioner's father and mother settled their property in favour of the petitioner. Now, the petitioner's brother is preventing her from enjoying her property. In this regard, the petitioner gave a complaint against her brother. However, till date, no FIR has been registered. Hence, the present petition has been filed.

3. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that after a receipt of the complaint dated 16.05.2022, enquiry has been conducted in CSR No.392 of 2022 and the same has been closed as civil in nature.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondents.



CrI.O.P.No.32363 of 2022

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5. From the submissions made by the learned counsel for the petitioner, it appears that the issue between the petitioner and her brother is purely a civil dispute, with regard to their rights under settlement deed, which has been executed by the petitioner's father and mother. In civil dispute, seeking direction for registration of FIR is not appropriate. Therefore, the prayer sought by the petitioner cannot be entertained.

6. Accordingly, this Criminal Original Petition stands dismissed.

03.01.2023

shk

To

- 1.The District Superintendent of Police,
Kancheepuram, Kancheepuram District.
- 2.The Inspector of Police (Crime),
Madipakkam Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.32363 of 2022

G.CHANDRASEKHARAN,J.

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Crl.O.P.No.32363 of 2022

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