



WEB COPY



Crl.O.P.No.32330 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.32330 of 2022**

Sundar @ Sundarrajan

... Petitioner

**Vs.**

The Inspector of Police,  
Law & Order,  
Vepery Police Station,  
Vepery, Chennai.

... Respondent

**PRAYER:** This Criminal Original Petition filed under Section 482 of Cr.P.C.,  
to direct the respondent police to register a case on the basis of the petitioner's  
complaint dated 29.11.2022.

For Petitioner : Mr.G.Jeremiah

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

**ORDER**



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This Criminal Original Petition has been filed to direct the respondent to register the case based on the petitioner's complaint dated 29.11.2022.

2. The learned counsel appearing for the petitioner submitted that though the petitioner gave a complaint with regard to landlord tenant dispute, no action has been taken by the respondent. Hence, the present petition has been filed.

3. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that, after the receipt of complaint dated 29.11.2022 from the petitioner, the respondent police had conducted enquiry in CSR No.604 of 2022 and it is pending.

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

5. The Division Bench of this Court in ***G.Prabhakaran v. The Superintendent of Police, Thanjavur***, reported in ***(2018) 2 LW Crl 489*** and the Hon'ble Supreme Court in its latest judgment rendered by a three Judge



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Bench in *M.Subramaniam v. S.Janaki*, reported in (2020) 5 CTC 464, after relying upon *Sakiri Vasu's* Case, has categorically held that the High Court cannot issue any direction for registration of FIR. High Court can intervene only in extraordinary circumstances and rare cases. However, taking note of the fact that the complaint is now being enquired, the Investigation officer is directed to issue notice to the parties and conduct enquiry as directed by the Hon'ble Apex Court in the case of *Lalita Kumari Vs. Government of Uttar Pradesh and others [2014 (2) SCC (1)]*. If any cognizable offence is made out, the respondent police is bound to register the FIR otherwise they may close the complaint. Such exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

6. With the above directions, this Criminal Original Petition is disposed of.

03.01.2023

shk



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**G.CHANDRASEKHARAN,J.**

shk

To

- 1.The Inspector of Police,  
Law & Order,  
Vepery Police Station,  
Vepery, Chennai.
2. The Public Prosecutor,  
High Court of Madras.

**CrI.O.P.No.32330 of 2022**

**03.01.2023**