



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2015

Coram

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P. (MD) .No.21689 of 2015

and

M.P. (MD) Nos.1 and 2 of 2015

- 1.Selvaraj
- 2.Jeyanthi
- 3.Kumar
- 4.Gokuladhas
- 5.Stephen
- 6.Savithri
- 7.Thangaleela
- 8.Helen Leema

.. Petitioners/Respondents
Nos.1 to 4 and 9 to 12

Vs.

- 1.The Sub Divisional Magistrate cum
Revenue Divisional Officer,
Padmanabapuram Sub Division,
Kanyakumari District.

...Respondent/Complainant

- 2.The Inspector of Police,
Pudukadai Police Station,
Kanyakumari District.

3.Suresh

4.Ramesh

5.Vijayakumar

6.Ponnupillai

.. Respondents/Respondents

Prayer: Petition is filed under Section 482 of Cr.P.C. to call for the records relating to the order passed in A2.M.C.5/2015 dated 04.08.2015 on the file of Sub Divisional Magistrate cum Revenue Divisional Officer, Padmanabapuram/first respondent herein so far as the petitioners are concerned.

For Petitioner :Mr.K.Samidurai

For Respondent :Mrs.S.Prabha

Government Advocate

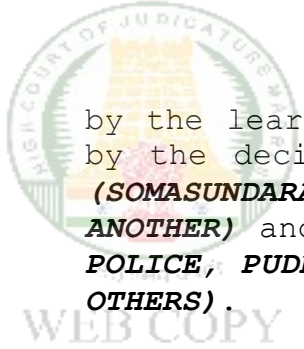
ORDER

This petition has been filed to quash the order dated 04.08.2015 passed in A2.M.C.5/2015 dated 04.08.2015 on the file of Sub Divisional Magistrate cum Revenue Divisional Officer, Padmanabapuram, the first

<https://hdservices.courts.gov.in/hdservices/>

2.Heard both sides.

3.When the matter is taken up for hearing, it is fairly represented



by the learned Government Advocate (crl. side) that the issue is covered by the decisions of this Court reported in (i) **2002 (1) MWN (Cr.) 151 (SOMASUNDARAM & OTHERS v. THE REVENUE DIVISIONAL OFFICER, DHARAPURAM AND ANOTHER)** and (ii) **2006 (3) CTC 792 (PALANI AND OTHERS v. THE INSPECTOR OF POLICE, PUDHUKOTTAI POLICE STATION, PUDHUKOTTAI, THOOTHUKUDI DISTRICT AND OTHERS)**.

4.I have carefully considered the material available on record. In view of the settled position of law, I am of the view that the order passed by the Sub Divisional Magistrate cum Revenue Divisional Officer, Padmanabapuram is liable to be quashed. Accordingly, the impugned order dated 04.08.2015 is quashed and this petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

rj2

To

1.The Sub Divisional Magistrate cum
Revenue Divisional Officer,
Padmanabapuram Sub Division, Kanyakumari District.

2.The Inspector of Police, Pudukadai Police Station, Kanyakumari District.

+one cc to Mr.K.Samidurai, Advocate in SR.NO.65989

CSL/SKS-RR/01.12.2015

2p/4c

Crl.O.P. (MD) .No.21689 of 2015

and

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