

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2017

Coram

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Crl. Revision Case No.618 of 2017

and

Crl.M.P.No.5542 of 2017

R. Kalaiyarasan

... Petitioner

//vs//

1. The Revenue Divisional Officer cum

Sub Divisional Class-I Administrative Magistrate,
Perambalur District.

2. The Inspector of Police,
Arumbavur Police Station,
Perambalur District.

3. P. Muthusamy

... Respondents

Prayer: Criminal Revision Case filed under Section 397 read with 401 of the Code of Criminal Procedure praying to set aside the impugned proceedings initiated by the first respondent in Na.Ka.No.A3/0543/2017 dated 20.02.2017 and to allow the same.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.R.Ravichandran,
Government Advocate (Crl. Side)
for R1 and R2

ORDER

Challenging the notice dated 20.02.2017 issued by the first respondent, the Revenue Divisional Officer cum Sub Divisional Class-I Administrative Magistrate, Perambalur District, under Section 145 of the Code of Criminal Procedure, directing the petitioner to appear for enquiry on 27.02.2017, the present revision has been filed.

2. The learned counsel for the petitioner submitted that even though the petitioner appeared for the enquiry and submitted all the materials, the Executive Magistrate, without considering the same, is adjourning the matter without any reason. Hence, he has come forward with the present revision.

4. Since the impugned notice is only a notice asking the parties to appear for an enquiry, that cannot be challenged in a revision under Section 397 of Cr.P.C.

5. In the above circumstances, the first respondent is directed to conduct enquiry, affording sufficient opportunities to the parties and pass orders on merits and in accordance with law within a

period of four weeks from the date of receipt of copy of this order.

6. With the above direction, this Criminal Revision case is disposed of. Consequently, connected miscellaneous petition is closed.

19.04.2017

mrp

To

1. The Revenue Divisional Officer cum
Sub Divisional Class-I Administrative Magistrate,
Perambalur District.
2. The Inspector of Police,
Arumbavur Police Station,
Perambalur District.

V.BHARATHIDASAN, J.

mrp

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