



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2017

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH**Crl.O.P.(MD) No.3256 of 2017****and Crl.M.P.No. 2486 of 2017**

WEB COPY

Palaniselvi

... Petitioner

-vs-

1.The Sub Collector/Executive Magistrate
Sivakasi, Virudhunagar District.2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Virudhunagar District.3.D.Pandiyan
Inspector
Hindu Religious and Charitable Endowments Department,
Srivilliputhur.

4.Sathyaseelan

5.The Commissioner,
Srivilliputhur Municipality,
Srivilliputhur, Virudhunagar District6.The Town Surveyor,
Town Sub Inspector
Municipality
Srivilliputhur,
Virudhunagar District7.The Tahsildar,
Srivilliputhur,
Virudhunagar District8.The Chief Surveyor,
Tahsildar Office,
Srivilliputhur, Virudhunagar District

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records relating to the proceeding in Na.Ka.No.A2/MCO3/2017 dated 28.02.2017 and quash the same.

For Petitioner

: Mr.T.Antony Arul Raj

For Respondents

: Mr.A.P.Balasubramani

Govt. Advocate (Crl.Side)



O R D E R

Anticipating that there is likelihood of breach of peace, the Sub Collector, Sivakasi has only issued notice to the petitioner calling upon her to appear before him on 09.03.2017 at 11 a.m. Challenging which, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) for the respondents.

3. The learned counsel for the petitioner submitted that there is no basis for initiating the impugned proceedings and therefore, the same should be quashed.

4. On a reading of the notice, it is seen that a complaint has been lodged before the Sub Collector by the Assistant Commissioner of Hindu Religious and Charitable Endowment Department praying that the debris relating to Oothumalai Paradesi Madam should not be removed. Therefore in order to conduct a thorough enquiry on the petition, the Sub Collector issued a notice not only to the petitioner, but also to the Assistant Commissioner of Hindu Religious and Charitable Endowment Department as well as the revenue authorities.

5. In the considered opinion of this Court, the petitioner can have no grievance to appear before the revenue authorities and place her case. This is merely a notice of hearing and this Court will not interfere at this juncture. Hence, the petition is closed with liberty to the petitioner to appear before the Sub Collector, Sivakasi along with her Advocate of her choice and present her case.

6. With the above direction, this criminal original petition is closed. Consequently connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To:

1.The Sub Collector/Executive Magistrate
Sivakasi, Virudhunagar District.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Virudhunagar District.



3.The Commissioner,
Srivilliputhur Municipality,
Srivilliputhur, Virudhunagar District

4.The Town Surveyor,
Town Sub Inspector
Municipality
Srivilliputhur,
Virudhunagar District

5.The Tahsildar,
Srivilliputhur,
Virudhunagar District

6.The Chief Surveyor,
Tahsildar Office,
Srivilliputhur, Virudhunagar District

7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

8.D.Pandiyan,
Inspector,
Hindu Religious and Charitable Endowments Department,
Srivilliputhur.

+1cc to M/s. T.ANTONY ARUL RAJ Advocate in SR. No.16740
RR
JS/JC/10.04.2017/3P-10C

Crl.O.P. (MD) No.3256 of 2017
and Crl.M.P.No.2486 /2017
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