



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2017

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

Crl.R.C(MD).No.200 of 2016

and

Crl.M.P.(MD).No.2732 of 2016

A.Gandhi

... Petitioner

-Vs-

1.The Revenue Divisional Officer,
District Backward and Minority Welfare Officer,
Sivagangai Revenue Division,
Sivagangai.

2.The State Rep By
Inspector of Police,
Kalayarkoil Police Station,
Kalayarkoil,
Sivagangai District.

3.N.Moorthy ... Respondents
(R3 impleaded as per order of this
Court made in Crl.M.P.(MD)No.2501/2016
in Crl.RC(MD) 200/2016, dated
03.07.2017 by VBDJ)

Prayer : Criminal Revision Case filed under Section 397 r/w 401 of the Code of Criminal Procedure to Call for the records pertaining to the order passed by the first respondent in Pa.Mu.A2/3437/2014, dated 23.02.2016 and set aside the same.

For Petitioner : Mr.M.Vivekanandan

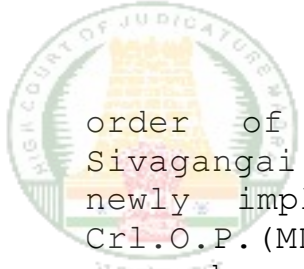
For R1 and R2 : Mr.C.Mayilvahana Rajendran
Additional Public Prosecutor

For R3 : Mr.A.P.Muthu Pandian

O R D E R

This Criminal Revision Case has been filed, challenging the order passed by the first respondent/ The Revenue Divisional Officer, District Backward and Minority Welfare Officer, Sivagangai Revenue Division, Sivagangai under Section 145 Cr.P.C.

2.The present revision has been filed on 23.03.2016. Simultaneously, the petitioner filed a revision before the District Revenue Officer, Sivagangai. Suppressing the fact of filing Revision before this Court, he also obtained an interim



order of status quo before the District Revenue Officer, Sivagangai on 22.04.2016. Challenging the above said order, the newly impleaded third respondent filed a quash petition in CrI.O.P.(MD).No.9618 of 2016 before this Court and this Court, by an order dated 02.08.2016, stayed the entire proceedings of the District Revenue Officer. Subsequently, the petitioner approached the District Revenue Officer and withdrew the revision. Based on the said withdrawal order, the Criminal Original Petition was closed by this Court by an order dated 08.11.2016.

3.Perusal of the records, it could be seen that it is a clear case of forum shopping. The petitioner after filing a revision petition before this Court, for the same cause of action, approached the District Revenue Officer. Suppressing the above fact of filing revision before this Court, he obtained an interim order of status-quo from the District Revenue Officer. The very act of the petitioner is highly deprecated. The petitioner has come to this Court with unclean hands. On that ground alone, this Criminal revision case is liable to be dismissed. Accordingly, the same is dismissed. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

- 1.The Revenue Divisional Officer,
District Backward and Minority Welfare Officer,
Sivagangai Revenue Division,
Sivagangai.
- 2.The Inspector of Police,
Kalayarkoil Police Station,
Kalayarkoil,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.A.P.Muthupandian,Advocate,SR.64187

CrI.R.C (MD) No.200 of 2016
07.07.2017