

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.409 of 2013 and

M.P.No.1 of 2013

1. Manimaran
2. B.K.Nedunchezian
3. D.S.Navamani
4. Murali
5. Dhanasekaran

...Petitioners

Vs.

1. T.P.Murugesan
2. T.Rasakantham
3. T.M.K.Manoharan
4. T.Rasa
5. K.M.Palani
6. The Revenue Divisional Officer
cum-Sub Divisional Magistrate,
Kancheepuram.

...Respondents

Prayer: The Criminal Revision filed under Section 397 read with 401 of Code of Criminal Procedure against the order of the Revenue Divisional Officer, Kancheepuram, the 6th respondent herein dated 16.03.2013 passed in Na.Ka.No.654/13/Aa3.

For Petitioners : Mr.V.V.Sairam

For Respondents : Mrs.M.Srividya for RR1 to 5

Mr.R.Ravichandran

Government Advocate (Crl.Side) for R6

ORDER

This criminal revision has been filed against the order dated 16.03.2013 passed in Na.Ka.No.654/13/Aa3 by the Revenue Divisional Officer, Kancheepuram.

2 The order impugned in this revision is only a issuance of summons by the Revenue Divisional Officer vide proceedings dated 16.03.2013 in Na.Ka.No.654/13/Aa3. Due to civil dispute arose between two private parties, the case was registered and the Revenue Divisional Officer, Kancheepuram, has summoned the petitioner to enquire the matter. The petitioner instead of appearing before the Revenue Divisional Officer, has filed the present criminal revision before this Court, challenging the issuance of summon.

3 The learned Government Advocate (Crl.Side) appearing for 6th respondent would submit that, subsequent to the summons issued, the petitioner had appeared before the Revenue Divisional Officer and took time. Hence nothing survives in the present criminal revision.

4 The revision petitioner challenged the issuance of summons and due to stay granted by this Court, final order has not yet been passed. On perusing the records, it reveal that the stay granted by this Court is only a limited stay. However, in view of the submissions made by the learned Government Advocate (Crl.Side) that the petitioner appeared before the Revenue Divisional Officer, nothing survives in the present criminal revision. Further, challenging the issuance of summons is a premature one and the same need not be entertained.

5 In the result, the criminal revision is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Revenue Divisional Officer, Kancheepuram.
2. The Public Prosecutor,
High Court of Madras.

+lcc to M/s.M.Srividhya, Advocate SR.NO.59191

RSK(CO)
sm:12.9.2018

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