



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE **P.N.PRAKASH**
Crl.R.C. (MD) Nos.459 of 2017 and 39 of 2018

and
Crl.M.P. (MD) Nos.4934 of 2017 and 428 of 2018

Crl.R.C. (MD) No.459 of 2017:

- 1.C.Ramanathan
- 2.R.Devadoss
- 3.R.Sankaradoss

: Petitioners /A Party

Vs.

1. The Sub-Divisional Magistrate/
Revenue Divisional Officer,
Pattukottai Taluk,
Thanjavur District.
2. The Inspector of Police,
Madukkur Police Station,
Madakkur Post,
Pattukottai Taluk,
Thanjavur District.
- 3.A.Paranjothi
- 4.Sundaramoorthy
- 5.Dhanalakshmi

: Respondents

PRAYER: Criminal Revision Case is filed under Section 397 r/w 401 of the Criminal Procedure Code praying to call for the records pertaining to the impugned order in MC/49/2016 A3, dated 07.03.2017 passed by the first respondent and set aside the same.

For Petitioners : Mr.J.Pandi Dorai,
For Mr.T.Lajapathi Roy
For Respondents 1&2 : Mrs.S.Bharathi,
Government Advocate (Crl.side)
For Respondents 3to5 : Mr.T.Kumar

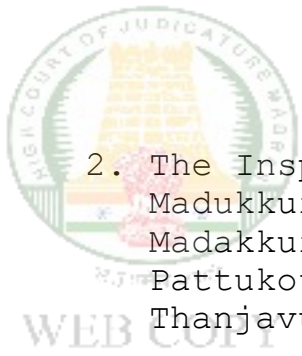
Crl.R.C. (MD) No.39 of 2018:

- 1.A.Paranjothi
- 2.Sundaramurthy

: Petitioners /A Party

Vs.

1. The Sub-Divisional Magistrate -cum-
Revenue Divisional Officer,
Pattukottai Taluk,
Thanjavur District.



2. The Inspector of Police,
Madukkur Police Station,
Madakkur Post,
Pattukottai Taluk,
Thanjavur District.

3.C.Ramanathan

4.R.Devadoss

5.R.Sankaradoss

: Respondents

PRAYER: Criminal Revision Case is filed under Section 397 r/w 401 of the Criminal Procedure Code praying to call for the entire records in respect of the order passed by the first respondent i.e. Revenue Divisional Officer -cum- Sub Divisional Magistrate, Pattukottai, dated 07.03.2017 in M.C.No.49 of 2016 and set aside the same.

For Petitioners : Mr.K.Vinayagam

For Respondents 1&2 : Mrs.S.Bharathi,
Government Advocate (Crl.side)

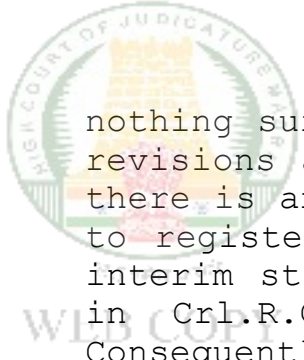
For Respondents 3to5 : Mr.J.Pandi Dorai,
For Mr.T.Lajapathi Roy

COMMON ORDER

There were frequent disputes between Paranjothi Group and Ramanathan Group with regard to the enjoyment of the land measuring 0.67.0 Ares in Mohoor Village Survey No.65/7, on account of which, proceedings under Section 145 of the Code of Criminal Procedure was initiated against both the parties by the Revenue Divisional Officer, since criminal cases were registered against both the parties for breach of peace. The Revenue Divisional Officer, by the impugned order dated 07.03.2017, has directed both the parties not to enter the land until the dispute is settled before the competent Civil Court. Challenging the said order, Ramanathan Group has filed Crl.R.C.(MD)No.459 of 2017 and Paranjothi Group has filed Crl.R.C.(MD)No.39 of 2018.

2. In Crl.M.P.(MD)No.4934 of 2017 in Crl.R.C.(MD)No.459 of 2017 filed by Ramanathan Group, this Court has granted interim stay of the impugned order on 14.06.2017.

3. Now, it is represented by the parties that Ramanathan Group filed O.S.No.78 of 2007 before the Sub Court, Pattukottai against Paranjothi Group and the said suit was dismissed on 26.04.2016. The appeal preferred by Ramanathan Group before the Principal Sessions Court, Thanjavur, with delay has also not been entertained by the Court, since the delay application was dismissed. Since the Civil Court has passed appropriate decree,



nothing survives in these Criminal Revision Cases. Hence, both the revisions are closed. However, it is made clear that as and when there is any fresh law and order problem, it is open to the Police to register a case and initiate breach of peace proceedings. The interim stay granted by this Court in Crl.M.P.(MD)No.4934 of 2017 in Crl.R.C.(MD)No.459 of 2017 on 14.06.2017 stands vacated. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Sub-Divisional Magistrate/
Revenue Divisional Officer,
Pattukottai Taluk,
Thanjavur District.
2. The Inspector of Police,
Madukkur Police Station,
Madakkur Post,
Pattukottai Taluk,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2cc to Mr.T.Lajapathi Roy, Advocate Sr.No.53283,53284

+1cc to Mr.K.Vinayagam, Advocate Sr.No.53158

SML

VB/SV/MMS/SAR3/16/03/2018/3P/7C

Common Order made in
Crl.R.C. (MD) Nos.459 of 2017 and 39 of 2018
05.03.2018