

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.13944 of 2013 and
M.P.No.1 of 2013

Venkatesan

... Petitioner

Vs.

1. The Sub-Divisional Magistrate
cum-Sub-Collector, Chidambaram,
Cuddalore District.

2. The Sub-Inspector of Police,
Kumaratchi Police Station,
Cuddalore District.

3. Ramesh

4. Mahesh

5. Ravichandran

6. Siva Chockalingam

7. Sivakumar

8. Ravi

9. Mani Mozhi

10. Annadurai

... Respondents

PRAYER: Criminal Original Petition filed under Section 482
Cr.P.C. praying to call for the records of the 1st respondent in
M.C.No.46 of 2013 and quash the order dated 13.03.2013.

For Petitioner : Mr.A.Muthukumar

For Respondent : Mr.R.Surya Prakash
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition has been filed seeking to
quash the order dated 13.03.2013 passed in M.C.No.46 of 2013,
issuing show cause notice under Section 110 and 111 of Cr.P.C,
by the first respondent.

2 The learned counsel for the petitioner would submit
that the period of one year stated in the impugned order has
been lapsed and the life of orders i.e. show cause notice is

only one and year and the same has now been lapsed and the prayer sought for in this revision has become infructuous and the same may be closed as infructuous.

3 Heard the learned counsel appearing on either side and perused the materials available on record.

4 It is seen that the first respondent, since there is threat to public peace and tranquility as projected by 2nd respondent police, has issued show cause notice dated 13.03.2013 by mentioning crime number, which is impugned in this petition, against the petitioner and others. The petitioner instead of appearing before the Authority and giving explanation, soon after receiving the notice, has rushed to this Court seeking to quash the same. This Court is of the view that since the order impugned in this petition is only a show cause notice and not a final order or prohibition order or arresting or taking action against him, it is only preliminary order seeking to appear before the authority and offer their explanation, the prayer sought for in this criminal original petition cannot be granted.

5 Hence, this criminal original petition stands dismissed. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Cgi

To

1. The Sub-Divisional Magistrate-cum-Sub-Collector, Chidambaram, Cuddalore District.
2. The Sub-Inspector of Police, Kumaratchi Police Station, Cuddalore District.
3. The Public Prosecutor, High Court of Madras.

+1cc to Mr.A.Muthukumar, Advocate, S.R.No. 78343

CrI.O.P.No.13944 of 2013 and
M.P.No.1 of 2013

KK(CO)
GN(18/10/2019)