



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P (MD) No.9416 of 2019

WEB COPY

Ayyamperumal Nadar

... Petitioner

Vs

1.The Superintendent of Police,
Thoothukudi District.

2.The Revenue Divisional Officer,
Kovilpatti, Thoothukudi District.

3.The Inspector of Police,
Soorangudi Police Station,
Thoothukudi District.

4.Packiam

5.Mariaraja

6.Thomma Arockiam

7.Royappan

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 to 3 herein to take necessary action against the respondents 4 to 7 for violating the orders passed by the second respondent, dated 25.05.2010 within the time stipulated by this Court.

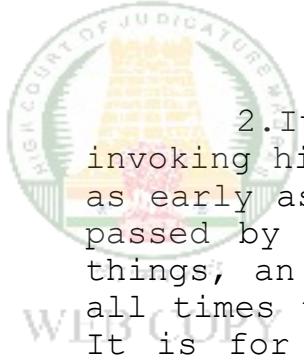
For Petitioner : Mr.C.Jeganathan
for M/s.Veera Associates

For R1 to R3 : Mr.A.Robinson
Government Advocate (Crl.side)

For R4 to R6 : Mr.R.J.Karthick

ORDER

The petitioner has moved this Court for directing the authorities to take action against the private respondents for alleged violation of the order dated 25.05.2010 passed by the Revenue Divisional Officer, Kovilpatti.



2.It is seen that the Revenue Divisional Officer, Kovilpatti, invoking his power under Section 145 of Cr.P.C., has passed an order as early as on 25.05.2010. It is seen that it was an exparte order passed by the Revenue Divisional Officer. In the very nature of things, an order passed under Section 145 of Cr.P.C., cannot be for all times to come. It is intended to tide over a temporary phase. It is for the contesting parties to establish their rival claims before the Jurisdictional Civil Court. An exparte order of this nature passed under Section 145 of Cr.P.C and that too, some nine years ago, cannot be used like Civil Court decree. Therefore, I decline to grant any relief in this criminal original petition. It is made clear that this Court has not pronounced anything on the merits of the matter. It is for the contesting parties to ventilate their grievances before the jurisdictional Civil Court.

3.With this observation and liberty, this criminal original petition is dismissed.

Sd/-

Assistant Registrar (P&A)

/ True Copy /

Sub Assistant Registrar(CS-)

To

- 1.The Superintendent of Police,
Thoothukudi District.
- 2.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.
- 3.The Inspector of Police,
Soorangudi Police Station,
Thoothukudi District.

+1 CC to M/s.VEERA ASSOCIATES,Advocate(SR-76579[F] dated 22/07/2019)

Cr1.O.P (MD)No.9416 of 2019
19.07.2019

rmi
ES/31.07.2019/2P/5C