



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2020

CORAM:

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

Cr1.O.P. (MD) .No.6833 of 2020

and

Cr1.M.P. (MD) .No.3405 of 2020

R.Radhakrishnan

... Petitioner

Vs.

1.The Sub-Divisional Magistrate and Sub Collector,
Tirunelveli.

2.The Commissioner of Tirunelveli,
City Municipal Corporation,
Tirunelveli.

3.The District Collector,
Tirunelveli.

4.The Tahsildar,
Palayamkottai.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the order passed by the first respondent dated Nil signed on 09.06.2020 issued under Section 133 of Cr.P.C., and set aside the same as illegal.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.K.Ramakrishnan

Additional Public Prosecutor

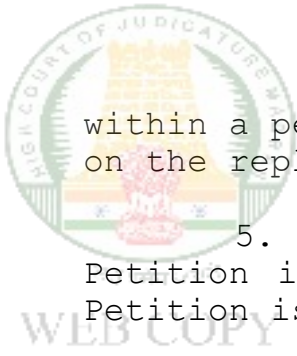
O R D E R

The criminal original petition has been filed to quash the proceedings of the first respondent, dated 09.06.2020.

2. The learned counsel for the petitioner would submit that the petitioner is having a valid document and he is in possession of the property for very long time.

3. Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor takes notice for the respondents.

4. The order under challenge in this petition is only a show cause notice issued by the first respondent / the Sub Divisional Magistrate and Sub Collector, Tirunelveli. Hence, this Court is not inclined to quash the entire proceedings of the first respondent. However, liberty is granted to the petitioner to submit his reply before the first respondent within a period of two weeks from the date of receipt of a copy of this order and on such reply, the first respondent shall take appropriate action in accordance with law



within a period of four weeks thereafter. Till the decision is taken on the reply, the petitioner need not be dispossessed.

5. With the above observations, the Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1.The Sub-Divisional Magistrate and Sub Collector,
Tirunelveli.

2.The Commissioner of Tirunelveli,
City Municipal Corporation,
Tirunelveli.

3.The District Collector,
Tirunelveli.

4.The Tahsildar,
Palayamkottai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KB(08.07.2020) 2P 6C