



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.R.C. (MD)No.490 of 2016

and

Crl.M.P. (MD)No.5789 of 2016

WEB COPY

1. Manivannan

2.Amuthan

... Petitioners/B Party

versus

1. State

Rep. by Inspector of Police,
Pasupathypalayam Police Station,
Karur District.

(Cr.No.431 of 2016)

... Respondent/Complainant

2. Rajesh Kumar

... Respondent/A Party

Criminal Revision Case filed under Section 307 r/w. 401 of Cr.P.C. to call for the records relating to Na.Ka.A2/2214/2016 dated 14.07.2016 pending before the learned Executive Magistrate cum Revenue Divisional Officer, Karur and to set aside the same.

For Petitioners	:	Mr.S.Ravi
For R1	:	Mr.A.Robinson,
		Government Advocate (Crl. Side)
For R2	:	Mr.V.Balaji

ORDER

This Criminal Revision Case is arising out of a show cause notice issued by the Executive Magistrate cum Revenue Divisional Officer, Karur, under Section 145 Cr.P.C., calling upon the petitioners to produce the title deed in respect of the disputed property.

2. Mr.S.Ravi, learned counsel for the revision petitioners made his submission that the Executive Magistrate cum Revenue Divisional Officer, who issued proceedings under Section 145 Cr.P.C., is not a competent authority to call for the petitioners to produce the title deed and to verify the title of the property. It is the further contention of the learned counsel for the revision petitioners that there is a dispute between the brothers and when the Civil Court, namely, the Principal District Court, Karur, seized off the matter in O.S.No.49 of 2012, the proceedings issued under Section 145 Cr.P.C. is unsustainable.



3. Mr.V.Balaji, learned counsel for the second respondent submitted that the dispute is between the petitioners and the second respondent, who are brothers and the said issue is also settled amicably between them. Therefore, the Civil Suit in O.S.No.49 of 2012 filed before the Principal District Court, Karur, was closed.

4. In view of the submission made by the learned counsel for the second respondent that the dispute has been settled between the parties and the suit filed in this regard in O.S.No.49 of 2012 before the Principal District Court, Karur, was also closed based on the settlement arrived at between the parties, this Criminal Revision Case is closed as no further order is required to be passed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (crl side)

// 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 Executive Magistrate cum Revenue Divisional Officer,
Karur

2. The Inspector of Police,
Pasupathpalayam Police Station,
Karur District.

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

Crl.R.C. (MD)No.490 of 2016

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