



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.3436 OF 2018

AND

CRL.M.P.NO.1506 OF 2018

1. Manikkam

2. Moorthy

3. Duraisamy

4. Selvaraj

5. Kulandaivel

... Petitioners

Vs.

1. The Sub Divisional Executive
Magistrate and Sub Collector,
Namakkal.

... Respondent

2. Senthil

3. Senthilraja

4. Ravi

5. Arasan @ Raja

6. Karikalan @ Kandasamy

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records in Na.Ka.No.2340/2017/M1 dated 29.01.2018 on the file of the first respondent herein and quash the same.

For Petitioner : Mr. Zeenath Begum

For Respondent-1 : Mr. A. Gopinath
(Government Advocate)

For Respondent-2 : M/s. M.Subash



O R D E R

This petition has been filed seeking to call for the records in Na.Ka.No.2340/2017/M1 dated 29.01.2018 on the file of the first respondent herein and quash the same.

2. The case of the petitioner is that the petitioners and the respondents 2 to 6 belong to two different communities and they were residing in Alampatty Village , Rasipuram Taluk and there was one Arulmigu Kongu Mariamman temple in the said Village which is the subject matter of this petition. There were dispute between the petitioners and the respondents 2 to 6 with regard to the rights over the temple, manner of worship, possession and enjoyment of the temple. Hence the petitioners filed a O.S.No.134 of 2017 on the file of the District Munsif court, Rasipuram. Pending the above suit the first respondent/The Sub-Divisional Executive Magistrate and Sub Collector, Namakkal conducted a meeting on 29.01.2018 to settle the issue amicably. But, both the parties have not agreed and the first respondent passed orders in Na.Ka.No.2340/2017/M1. To quash the same the petitioners have filed this petition.

3.The learned counsel for the petitioner Mrs.Zeenth Begum filed a memo to withdraw her appearance.

4. The learned Government Advocate submits that while pending this petition final orders was passed on the file of the District Munsif court, Rasipuram in O.S.No.134 of 2017 and nothing survives for adjudication in this case.

5. Recording the submissions made by the learned Government Advocate, this petition is closed. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS-VIII)

// True Copy//

Sub Assistant Registrar

smn

To

1. The District Munsif court, Rasipuram



2. The Sub-Divisional Executive Magistrate
and Sub Collector, Nammakal.

3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

CrI.O.P.No.3436 of 2018
And
CrI.M.P.No.1506 of 2018

PCH (CO)
RLP (02/08/2021)