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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

Crl.R.C.No.1046 of 2015

K.Natarajan

... Petitioner

Vs.

The Commissioner,
Tambaram Municipality,
Tambaram, Madras - 45.

... Respondent

PRAYER: This Criminal Revision Petition has been filed under Section 397 read with Section 401 of Cr.P.C, to call for the records in Crl.M.P.No.6995 of 2014 on the file of the learned Judicial Magistrate, Tambaram, Kancheepuram District, dated 16.07.2015 and revise and set aside the same.

For Petitioner : No appearance
For Respondent : Mr.R.Vinoth Raja
Government Advocate

JUDGMENT

(This case has been heard through video conference)

This Criminal Revision Case has been filed by the revision petitioner to challenge the order of dismissal passed in Crl.M.P.No.6995 of 2014, by the learned Judicial Magistrate, Tambaram, dated 16.07.2015.

2.Brief facts of the case:

The revision petitioner has filed a petition in Crl.M.P.No.6995 of 2014, before the learned Judicial Magistrate, Tambaram, for registration of death of his grand father viz., Madhurai Naicker within the jurisdiction of Tambaram Municipality. Thereafter, Tambaram Municipality had filed a statement and report before the Judicial Magistrate by stating that they are unable to confirm the death of the revision petitioner's grand father took place within the jurisdiction of Tambaram Municipality and recording so, by an order dated 16.07.2015, the learned Judicial Magistrate, Tambaram, has dismissed the petition with a liberty to file a petition before the proper jurisdiction. Aggrieved against the same, the revision petitioner has filed this Criminal Revision Case before this Court.



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3. Heard Mr.R.Vinoth Raja, learned Government Advocate (Crl.Side) appearing for the respondent and perused the materials placed on record. No representation for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the Tambaram Municipality is maintaining the death register from the year 1967 only. Whereas, the relief sought for by the revision petitioner is for the year 1936.

5. Taking into consideration the above facts and circumstances of the case and submissions made by the learned Government Advocate (Crl.Side), this Court finds that the learned Judicial Magistrate has clearly given liberty to file the petition before the proper jurisdiction and that there is no error of jurisdiction. Accordingly, this Criminal Revision Case stands dismissed and the order passed in Crl.M.P.No.6995 of 2014, by the learned Judicial Magistrate, Tambaram, dated 16.07.2015, is hereby confirmed.

s/d-

Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

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To

1. The Judicial Magistrate, Tambaram, Kancheepuram District.

2. The Commissioner,
Tambaram Municipality,
Tambaram, Madras - 45.

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JPL(CO)
SP(20/07/2021)