

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18796 of 2019

P.K.Uduman Mohideen

... Petitioner

Vs.

1. The Revenue Divisional Officer/Executive Magistrate,
Tambaram,
Chennai - 600 045.

2. The Inspector of Police,
S6-Sankar Nagar Police Station,
Chennai-600 075.

3. A.S.Baskaran

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the first respondent proceedings in Na.Ka.No.730/2018/A dated 16.05.2019 and quash the same.

For Petitioner : M/s.M.Muthappan

For Respondents : M/s.C.Raghavan
Government Advocate for R1&R2
Mr.K.Sukumaran for R3

ORDER

This petition has been filed challenging the impugned notice issued by the first respondent dated 16.05.2019 pursuant to the proceedings initiated under Section 145 of Cr.P.C.

2. It is seen from the records that even on an earlier occasion, similar proceedings were initiated and the same prayer was made on the side of the respondents 3 to 5 therein to refer the dispute between the petitioner and the third respondent and his wife. This Court passed an order in Crl.O.P.No.29304 of 2010 of 2010, dated 25.02.2011 directing the police not to interfere in the civil dispute and gave liberty to the parties to workout their remedies before the Civil Court.

3. In spite of the above order, yet another complaint has been given before the respondent police, which has resulted in the first respondent initiating proceedings under Section 145 of Cr.P.C.

4. It is seen from the records that there are several disputes pending between the parties. In view of the same, no useful purpose would be served in allowing the first respondent to continue with the enquiry and the entire issue is left open and the parties can agitate their grievance in the pending civil cases.

5. In the result, the impugned notice dated 16.05.2019 issued by the first respondent is hereby quashed and this Criminal Original Petition is disposed of accordingly.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Revenue Divisional Officer/Executive Magistrate,
Tambaram,
Chennai - 600 045.
2. The Inspector of Police,
S6-Sankar Nagar Police Station,
Chennai-600 075.
3. The Public Prosecutor,
Madras High Court.

+1 CC to Mr.S.K. Sukumaran, Advocate sr 7998.

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RV(CO)
SP(02/03/2021)