



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.08.2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Cr1.R.C.No.985 of 2019

U.Lalitha

... Petitioner

Vs.

1.Sub Divisional Executive Magistrate cum
Revenue Divisional Officer,
Thiruvarur District,
Thiruvarur.

2.The Deputy Superintendent of Police,
Nannilam,
Thiruvarur District.

3.The Tahsildar,
Nannilam Taluk,
Thiruvarur District.

4.The Village Administrative Officer,
Thircottaram, Nannilam Taluk,
Thiruvarur District.

5.The Inspector of Police,
Peralam Police Station,
Thiruvarur District.

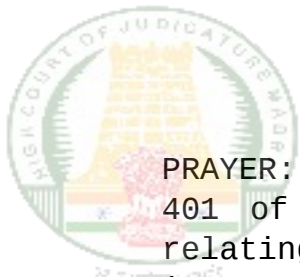
6.M.Thiyagarajan

7.A.Sagul Hameed

8.R.Vajayarangan

9.S.Jiyaudeen

... Respondents



PRAYER: This Criminal Revision is filed under Section 397 and 401 of the Criminal Procedure Code, to call for the records relating to the order dated 12.04.2016 passed by 1st respondent in Na.Ka.181/2016/A-5 under Section 145 Cr.P.C., set aside the same and allow the criminal revision petition.

For Petitioner : Mr.R.Sunilkumar

For R1 to R5 : Mr.S.Sugendran
Govt. Advocate (Crl.Side)

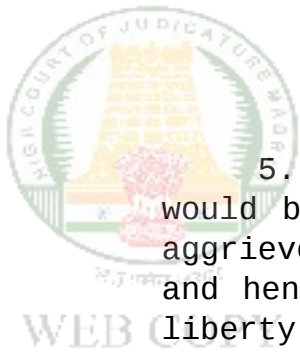
O R D E R

The present criminal revision has been filed to call for the records relating to the order dated 12.04.2016 passed by the 1st respondent in Na.Ka.181/2016/A-5 under Section 145 of the Criminal Procedure Code, 1973, and set aside the same and allow the criminal revision petition.

2. The dispute arises between the respondents 6 to 9. Therefore, the 1st respondent initiated proceedings under Section 145 of Cr.P.C., and after enquiry, the 1st respondent passed the impugned order dated 12.04.2016. Aggrieved by the same, the petitioner as a third party, has filed this revision.

3. A perusal of the impugned order reveals that the 1st respondent has not decided any right and title of the parties and not even ascertained the possession of the parties. The 1st respondent has clearly stated that he was not in a position to ascertain the possession of the parties in the disputed area and therefore, the 1st respondent directed the parties to approach the Civil Court, till then no one should interfere with the possession of the property and therefore, no prejudice would be caused either to the parties to the proceedings or the third party like the petitioner.

4. In order to maintain the peace and tranquility, the 1st respondent passed the order that till the parties approach the competent Civil Court and get suitable order from the competent Civil Court, no one should enter into the possession of the property.



5. In view of the above, this Court finds that no prejudice would be caused to the petitioner and the petitioner is not an aggrieved party and the criminal revision is not maintainable and hence, the same is dismissed. However, the petitioner is at liberty to workout his remedy in the manner known to law.

Sd/-
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

dm

To

1.The Sub Divisional Executive Magistrate cum
Revenue Divisional Officer,
Thiruvarur District,
Thiruvarur.

2.The Deputy Superintendent of Police,
Nannilam,
Thiruvarur District.

3.The Tahsildar,
Nannilam Taluk,
Thiruvarur District.

4.The Village Administrative Officer,
Thircottaram, Nannilam Taluk,
Thiruvarur District.

5.The Inspector of Police,
Peralam Police Station,
Thiruvarur District.

6.The Public Prosecutor,
High Court, Madras.

Cr1.R.C.No.985 of 2019

GP(CO)
B.VC (27/08/2021)