



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2021

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THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Rev.Aplw. (MD)No.43 of 2020
and WMP (MD) No.13370 of 2020

P.Raju

... Applicant/Petitioner

vs.

1.The Inspector of General of Police,
South Zone, Madurai.

2.The Superintendent of Police,
Theni District, Theni.

3.The Inspector of Police,
Devathanampatti Police Station,
Theni Dt.

4.Smt.Muthulakshmi

5.Varadaraj.

... Respondents/Respondents

Prayer: This Review Application is filed under Order 41 Rule 1 r/w Section 114 of Code of Civil Procedure, to review the order dated 16.10.2020 passed in W.P.(MD) No.6971 of 2020, on the file of this Court.

Prayer in WP(MD). 6971 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue writ of Mandamus or any other appropriate Writ or order or direction in the nature of writ by directing the official respondents especially the 3rd respondent to give necessary police protection to the petitioner for his life, liberty, property being the property covered by the above Four sale deeds (Nso.2919/2013, 2920/2013, 2921/2013 and 2922/2013) the petitioners employees the purchasers of the plots and consequently to conduct proper enquiry for the complaints given and to take appropriate actions per law and to submit reports to this Honourable Court.



For Applicant : Mr.A.Sivaji

For Respondents : Mr.S.Chandrasekar (for R1 to R3)
Additional Public Prosecutor

Mr.M.A.M.Raja (for R4 & R5)

WEB COPY

ORDER

The petitioner in W.P.No.6971 of 2020, has filed the instant review application to review the order dated 16.10.2020, made in the said writ petition.

2. Heard Mr.A.Sivaji, learned counsel appearing for the Review Applicant, Mr.S.Chandrasekar, learned Additional Public Prosecutor, appearing for respondents 1 to 3 and Mr.M.A.M.Raja, learned counsel appearing for respondents 4 and 5.

3. While at the time of disposing W.P.No.6971 of 2020, this Court had directed the learned Principal District Judge, Theni, to dispose of the suit in O.S.No.21 of 2017 and Ar.O.P.No.32 of 2020, which were pending on his file, within a period of three months from the date of receipt of a copy of that order.

4. In this regard, the learned counsel appearing for the Review Applicant made a submission that in respect to the pending Arbitration O.P.No.32 of 2020, the Review Applicant has already filed CRP (MD) No.529 of 2020, before this Court, wherein an order of interim stay has been granted and the same is still in force.

5. In the said circumstances, directing the learned Principal District Judge, Theni, to dispose of the said Arbitration Original Petition, within a period three months, is an error. Further, due to the same, the learned Principal District Judge, Theni, has pressurised the Review Applicant for making his submission in the said Arbitration Original Petition.

6. On considering the said submission with relevant records, while at the time of arguing the writ petition i.e., W.P.No.6971 of 2020, learned counsel appearing on either side has not brought to the knowledge of this Court, about the order of stay granted in respect to the above referred Arbitration Original Petition. Now only, through this Review Application, the learned counsel appearing for the Review Applicant, has brought to the knowledge of this Court, about the stay which has been granted by this Court. Therefore, it is appropriate to correct the order dated 16.10.2020, in respect to the direction to the learned Principal District Judge, Theni, directing to dispose of the Arbitration O.P.No.32 of 2020, within a period of three months from the date of receipt of a copy of that order. Hence, that particular portion in paragraph No.17 of



the order dated 16.10.2020, is removed and in respect to other contentions, the previous order holds good.

7. The Review Application is disposed of, as indicated above. No Costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The Inspector of General of Police,
South Zone, Madurai.

2. The Superintendent of Police,
Theni District, Theni.

3. The Inspector of Police,
Devathanampatti Police Station,
Theni Dt.

4. The Principal District Judge, Theni

copy to

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.SIVAJI, Advocate (SR-565[F] dated 08/01/2021)

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and WMP (MD) No.13370 of 2020
06.01.2021

ac(CO)

TR(21.01.2021) 3P 7C