



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

Cr1.O.P.No.26523 of 2016
and Cr1.M.P.No.13288 of 2016

1.S.P.Kandhasamy
2.K.Siva Ganeshan
3.S.P.Gayathri
4.S.K.Chitra

... Petitioners 1- 4/ B-Party

Vs.

1. The Revenue Divisional Officer,
Pollachi, Coimbatore District.

2. The State represented by its
Inspector of Police,
Kottur Police Station, Kottur, Pollachi.

3. Arulmighu Sithadhaandesswaarar
represented by its permanent hereditary trustee
Smt.Anur Shanthi Vanavarayar,
Aranmanai, Samathur,
Pollachi Taluk

... Respondents 1-3/
third party

4.S.Ganeshan
5.S.K.Nataraj
6.S.Kulandaivel
7.K.Muthumanikkam
8.K.Kaleeshwaran
9.G.Shanthi
10.P.R.Nagaraj
11.S.A.Nataraj
12.Sakthivel

... Respondents 4-12/
A-Party

13.Sathish Kumar
14.Shakthivel
15.Shakthiram

... Respondents 13-15/
B-Party

PRAYER: This Criminal Original Petition has been filed under Section 482 of Cr.P.C, to call for the records of proceedings of the first respondent in Na.Ka.No.2601/2016/A1 dated 29.11.2016 and quash the same.



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For Petitioners : Mr.R.Krishna Prasad
for M/s.Sarvabhauman Associates

For R1 & R2 : Mr.C.E.Pratap
Government Advocate (Crl.Side)
For R3 : Mr.M.R.Franklin
For R4 to R9 : Mr.N.Umapathi
For R10 to R15 : No appearance

ORDER

This Criminal Original Petition has been filed to quash the proceedings of the first respondent in Na.Ka.No.2601/2016/A1 dated 29.11.2016.

2.The dispute raised herein relates to 36.85 acres of land, situated in S.F.Nos.34/1 and 35, Pollachi Circle, Pethanayakkanur Village, Coimbatore District, which according to the petitioners, is owned by Arulmighu Sithadhaandesswaarar Temple, the third respondent herein. It is submitted by the learned counsel for the petitioners that in the suit filed by the petitioners in O.S.No.250 of 2016 as well as in the suit filed by the respondents 4 to 9 in O.S.No.377 of 2016, both on the file of the District Munsif Court, Pollachi, an order of injunction was passed. Despite the same, the impugned order has been passed by the first respondent, viz., the Revenue Divisional Officer, Pollachi, Coimbatore District. Hence, the Criminal Original Petition.

3.Heard the learned counsel on either side and perused the materials placed on record.

4.The learned counsel for the petitioner would submit that the lease period has already been over.

5.On a perusal of the records, this Court finds that an order has been passed by the Revenue Divisional Officer, under Section 145 Cr.P.C proceedings and Civil Suits are also pending. Further, due to passage of time there is nothing survives in this Criminal Original Petition.

6.Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar



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To

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1. The Revenue Divisional Officer,
Pollachi, Coimbatore District.
 2. The Inspector of Police,
Kottur Police Station, Kottur, Pollachi.
 3. The Public Prosecutor
High Court, Madras-104
- +1cc to Mr.N.Umapathi, Advocate, S.R.No.34073
+1cc to M/s.Sarvabhauman Associates, Advocate, S.R.No.34355

Crl.O.P.No.26523 of 2016
and Crl.M.P.No.13288 of 2016

EV(CO)
CT/24/06/2022