



WEB COPY



Crl.R.C.No.804 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.R.C.No.804 of 2022

Chandrasekaran

... Petitioner

Versus

1.K.Shanmugavel

2.Kandasamy

3.Ramachandran
Village Administrative Officer,
(Old Kangayampalayam Village),
Presently Mettupalayam Village,
Vellakoil Road,
Tiruppur District.

4.Malaichami

5.Chandrasekaran

6.The Inspector
Dharapuram Police Station,
Dharapuram,
Tiruppur District.

... Respondents

Prayer: Criminal Revision Case is filed under Sections 397 R/w. 401 of Cr.P.C., against the orders passed in Crl.M.P.No.1258 of 2022 dated



Crl.R.C.No.804 of 2022

27.04.2022 by the learned Judicial Magistrate, Dharapuram.

WEB COPY

For Petitioner : Mr.P.Kalimuthu

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side) [R6]

ORDER

This revision is filed aggrieved by the order of the learned Judicial Magistrate, Dharapuram dated 27.04.2022 in Crl.M.P.No.1258 of 2022 in and by which the prayer of the petitioner to refer his complaint dated 07.09.2021 was refused by the learned Magistrate.

2. It is seen that the said complaint is addressed to the Superintendent of Police, District Collector and Chief Minister's Cell etc. Therefore, the learned Magistrate dismissed the application filed under Section 156(3) Cr.P.C., on the ground that the petitioner has not filed the proper complaint neither the petitioner followed the procedure as laid down by the Hon'ble Supreme Court in the case of ***Lalita Kumari vs.State of U.P.***, reported in (2014) 2 SCC 1.

3. In that view of the matter no exception can be taken for the



Crl.R.C.No.804 of 2022

WEB COPY

order of the learned Magistrate. However, it is made clear that since the petitioner alleges that in the enquiry proceedings relating to the deletion of his name for granting of patta, he did not appear, but, the proposed accused had set up some third person to appear in the enquiry by impersonating him, to that extent if he has materials and he can lodge a fresh complaint by duly following the procedures as laid down in Lalita Kumari's case.

4. The dismissal of the petition filed by the petitioner under Section 156(3) Cr.P.C., so also this revision case will not come into way of the petitioner for such an exercise.

5. With the above direction, this Criminal Revision Case is dismissed.

28.06.2022

Index : Yes / No

Speaking Order : Yes / No

ssn



WEB COPY



Crl.R.C.No.804 of 2022

D.BHARATHA CHAKRAVARTHY, J.,

ssn

To

1. The Judicial Magistrate,
Dharapuram.
2. Ramachandran
Village Administrative Officer,
(Old Kangayampalayam Village),
Presently Mettupalayam Village,
Vellakoil Road,
Tiruppur District.
3. The Inspector
Dharapuram Police Station,
Dharapuram,
Tiruppur District.
4. The Public Prosecutor,
High Court of Madras.

Crl.R.C.No.804 of 2022

28.06.2022