



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2022

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P. (MD)No.1895 of 2022

WEB COPY

R.Chinnadurai

... Petitioner

-Vs-

1.The Superintendent of Police,  
Office of the Superintendent of Police,  
Pudukottai District.

2.The Revenue Divisional Officer/Executive Magistrate,  
Revenue Divisional Office,  
Alangudi,  
Pudhukottai District.

3.The Tahsildar,  
Karambakudi Taluk Officer,  
Pudukottai District.

4.The Inspector of Police,  
Karambakudi Police Station,  
Pudukottai District.

5.T.Balakrishnan

6.T.Murugan

7.B.Veerababu @ Veera

8.M.Chithiriyar @ Mugilan

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 2 to 4 to conduct spot inspection and take necessary steps to removal of Nuisance under Section 133 of Cr.P.C by considering the representation, dated 06.01.2021.

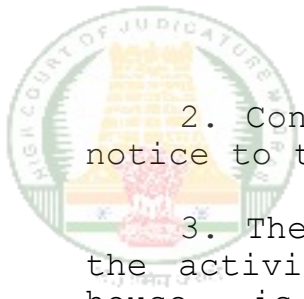
For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.M.Veeranthiran

Government Advocate (Crl.Side) for R.1 to R.4

**ORDER**

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents 1 to 4.



2. Considering the nature of relief to be granted, issuance of notice to the private respondents is dispensed with.

3. The petitioner is a resident of Sillathur. He alleges that the activities of the private respondents in running a slaughter house, is causing a nuisance. He would contend that in a residential locality, without getting any permission, such business is being conducted.

4. The learned Counsel draws my attention to Section 133 Cr.P.C, which states that if public nuisance is being caused, it is the duty of the jurisdictional Magistrate to step in. In this case the petitioner has given a complaint dated 06.01.2022. The second respondent is directed to dispose of the same on merits and in accordance with law within a period of 12 weeks from the date of receipt of copy of this order.

5. The second respondent will scrupulously adhere to the procedures set out in the Criminal Procedure Code and put all the parties on notice before passing final orders. I make it clear that issuance of this direction will not operate to the prejudice of the private respondents. I have not gone into the merits of the matter. This Writ Petition is disposed of, with the aforesaid direction. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,  
Office of the Superintendent of Police,  
Pudukottai District.

2.The Revenue Divisional Officer/Executive Magistrate,  
Revenue Divisional Office,  
Alangudi,  
Pudukottai District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Tahsildar,  
Karambakudi Taluk Officer,  
Pudukottai District.

4.The Inspector of Police,  
Karambakudi Police Station,  
Pudukottai District.

5.The Additional Public Prosecutore,  
Madurai Bench of Madras High Court, Madurai.

W.P. (MD)No.1895 of 2022  
01.02.2022

\_RD(22.02.2022) 3P 6C