



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1632 of 2019

and

Crl.M.P.(MD)No.840 of 2019

1.N.Rassal Raj

2.N.Paulraj

... Petitioners/Petitioners

vs.

1.Mrs.Rajam

2.The State of Tamil Nadu
represented by the Public Prosecutor,
Nagercoil,
Kanyakumari District.

... Respondents/Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records pertaining to the judgment made in Revision Petition No.18 of 2012, on the file of the learned Principal Sessions Judge, Kanyakumari District at Nagercoil, dated 05.07.2018 to confirm the order in Crl.M.P.No.9060 of 2010, on the file of the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District dated 22.10.2011 and set aside the same.

For Petitioners : Mr.C.Kishore

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor for R2
Mr.B.Arun Prasath
for S.C.Herold Singh for R1

O R D E R

This criminal original petition has been filed, invoking under Section 482 Cr.P.C., seeking orders to call for the records in Revision Petition No.18 of 2012 pending on the file of the learned Principal District and Sessions Judge, Kanyakumari District at Nagercoil, dated 05.07.2018, confirming the order passed in Crl.M.P.No.9060 of 2010 dated 22.10.2011, on the file of the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District.



2. When the matter was taken up for hearing on 07.01.2022, on considering the submission made by the learned counsel for the petitioners that the matter was settled between the parties, this Court has directed the Registry to call for a report from the Principal District and Sessions Court, Kanyakumari District at Nagercoil.

3. In pursuance of the same, the learned Principal District and Sessions Judge has submitted a report on 22.01.2022 stating that the Revision petition was disposed of on 05.07.2018 and thereby confirmed the order passed in Crl.M.P.No.9060 of 2010 and that thereafter, no petition is filed and pending before the Judicial Magistrate No.I, Kuzhithurai and Principal District and Sessions Court, Kanyakumari at Nagercoil.

4. When the matter is taken up for hearing today, the learned counsel for the petitioners as well the first respondent would submit that the matter was settled between the parties and that the first respondent who is the mother of the petitioners had died on 11.07.2021 and as such, nothing survives for further adjudication.

5. Recording the submission made by the learned counsel for the petitioners as well as the first respondent, this criminal original petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

CSM

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 Principal Sessions Judge,
Kanyakumari District at Nagercoil

2. The Judicial Magistrate No.I,
Kuzhithurai,
Kanyakumari District

3. The Public Prosecutor,
State of Tamil Nadu
Nagercoil,
Kanyakumari District.



+1 CC to M/s.S.C.HEROLDSINGH, Advocate (SR-2324[F] dated 25/01/2022)

+1 CC to M/s.C.KISHORE, Advocate (SR-2341[F] dated 25/01/2022)

WEB COPY

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and

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25.01.2022

MGJ(11.02.2022) 3P 6C