



WEB COPY

Crl.R.C(MD)No.894 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C(MD)No.894 of 2021

and

Crl.M.P(MD)No.10627 of 2021

N.Balaji

... Petitioner

Vs.

1.The Tahsildar,
Taluk Office,
Thuraiyur,
Thiruchirappalli District.

2.The Sub-Inspector Police,
Jambunathapuram Police Station,
Tiruchirappalli District.

3.Balakrishnan

4.Rajendran

5.Selvaraj

... Respondents

PRAYER: Criminal Revision Case filed under Section 397 r/w 401 of the Code of Criminal Procedure, to call for the records pertaining to Na.Ka.Aa1/5875/2021, dated 28.09.2021 on the file of the first respondent and set aside the same.

For Petitioner : Mr.M.Karunanithi

For RR 1 & 2 : M/s.M.Aasha
Government Advocate (Crl. Side)

For RR 3 to 5 : Mr.S.Muthu Krishnan

ORDER

This revision has been filed to set aside the order passed in Na.Ka.Aa1/5875/2021, dated 28.09.2021 on the file of the first respondent, thereby ordered to remove the fencing put up by the petitioner in the land comprised in Survey No.82/1C admeasuring 0.04.5 ares situated at Velayuthampalayam Village, Thuraiyur Taluk, Trichirappalli District.

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



2.Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 and the learned counsel appearing for the respondents 3 to 5 and perused the materials available on record.

WEB COPY

3.On a perusal of the records revealed that aggrieved by the order passed by the first respondent, the petitioner has also preferred an appeal before the Revenue Divisional Officer, Musiri, Trichirappalli District.

4.In view of the appeal pending before the Revenue Divisional Officer, Musiri, Trichirappalli District in Na.Ka.No.4891 of 2021, this Criminal Revision Case is disposed of with a direction that the Revenue Divisional Officer, Musiri, Trichirappalli District is directed to conduct enquiry, after issuance of notice to the petitioner and the respondents 3 to 5 and dispose of the same within a period of eight weeks from the date of receipt of a copy of this order.

5.At this juncture, the learned counsel appearing for the petitioner seeks an order of status quo to be maintained in respect of the subject property. However, the learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that the order passed by the first respondent has been complied with and the fencing put up by the petitioner in the land comprised in Survey No.82/1C admeasuring 0.04.5 ares situated at Velayuthampalayam Village, Thuraiyur Taluk, Trichirappalli District has been removed and the general public are using the pathway without any disturbance. Therefore, the petitioner is not entitled for any interim order. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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 Tahsildar,
Taluk Office,
Thuraiyur,
Thiruchirappalli District.
- 2.The Sub-Inspector Police,
Jambunathapuram Police Station,
Tiruchirappalli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M. KARUNANITH, Advocate (SR-21786[F] dated 27/04/2022)

Order made in
Crl.R.C(MD)No.894 of 2021
25.04.2022

SA(11.05.2022) 4P 5C