



W.P.No.1970 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 31.01.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN**

**W.P.No.1970 of 2023**  
**and**  
**W.M.P.No.2048 of 2023**

Kamalakannan

Vs.

... Petitioner

1. The District Collector,  
Thiruvannamalai District,  
Thiruvannamalai.
2. The Sub-Divisional Executive Magistrate cum  
Revenue Divisional Officer (incharge),  
Cheyyar, Thiruvannamalai District.
3. The Superintendent of Police,  
Thiruvannamalai District,  
Thiruvannamalai.
4. The Inspector of Police,  
Cheyyar Police Station,  
Cheyyar Circle,  
Thiruvannamalai District,  
Thiruvannamalai.
5. Harif Basha
6. Mohammed Ali, Muthavalli
7. Hakkim Basha



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8. Jamal

9. Kamal

...Respondents

**PRAYER:** Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, calling for the records relating to the impugned notice dated 01.10.2022, Cr.P.C.M.C.139/2022 (A3) issued by the 2<sup>nd</sup> respondent and quash the same and consequently forbearing the official respondents from lock and seal proceedings against the petitioner.

For Petitioner : Mr.J.Arul Prakasam

For Respondents (1 to 4) : Mr.S.Santhosh

Government Advocate (Crl.Side)

### **ORDER**

The Writ Petition has been filed to call for the records relating to the impugned notice dated 01.10.2022, Cr.P.C.M.C.139/2022 (A3) issued by the 2<sup>nd</sup> respondent and quash the same and consequently forbearing the official respondents from lock and seal proceedings against the petitioner.

2.The learned Government Advocate (Crl. Side) submitted that the enquiry in this regard was scheduled on 11.10.2022. However, no enquiry was conducted on 11.10.2022. He further submitted that respondent police have requested the RDO, Cheyyar to conduct enquiry in this regard.

3. Recording the submission made by the learned Government



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Advocate (Crl. Side), this Court is of the view that no order is necessary.

However, this Writ Petition is disposed of giving direction to the 2<sup>nd</sup> respondent/ Revenue Divisional Officer, Cheyyar to schedule the enquiry as early as possible for the enquiry under Section 145 of Cr.P.C and dispose the same on merits in accordance with law as early as possible, preferably, within a period of three months from the date of receipt of copy of his order.

**31.01.2023**

Index :Yes/No

Internet:Yes/No

Sma



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**G.CHANDRASEKHARAN, J.**

Sma

To

1. The District Collector,  
Thiruvannamalai District,  
Thiruvannamalai.
2. The Sub-Divisional Executive Magistrate cum  
Revenue Divisional Officer (incharge),  
Cheyyar, Thiruvannamalai District.
3. The Superintendent of Police,  
Thiruvannamalai District,  
Thiruvannamalai.
4. The Inspector of Police,  
Cheyyar Police Station,  
Cheyyar Circle,  
Thiruvannamalai District,  
Thiruvannamalai.
5. The Public Prosecutor,  
High Court of Madras.

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