



CRL.O.P.Nos.14883, 14909, 14872 & 14993 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.Nos.14883, 14909, 14872 & 14993 of 2021
and
Crl.M.P.Nos.8186, 8111, 8098 & 8177 of 2021

Crl.O.P.No.14883 of 2021:-

Abubacker

... Petitioner

Vs.

1. The Administrative Executive Magistrate cum
Greater Metropolitan Deputy Commissioner of Police,
Mylapore District,
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.

2. The Inspector of Police,
(Law & Order)
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.
praying to call for the records in pursuance to the show cause notice dated
03.08.2021 in No.59/K.A/E1 Ka.Ni/2021, from the 1st Respondent and
consequentially to set aside the same.



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Crl.O.P.No.14909 of 2022:-

Amjad

... Petitioner

Vs.

1. The Administrative Executive Magistrate cum
Greater Metropolitan Deputy Commissioner of Police,
Mylapore District,
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.

2. The Inspector of Police,
(Law & Order)
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records in pursuance to the show cause notice dated 03.08.2021 in No.61/K.A./E1 Ka.Ni/2021, from the 1st Respondent and consequentially to set aside the same.

Crl.O.P.No.14872 of 2021:-

Nainar Mohammed

... Petitioner

Vs.

1. The Administrative Executive Magistrate cum
Greater Metropolitan Deputy Commissioner of Police,
Mylapore District,
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.

2. The Inspector of Police,
(Law & Order)
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.

... Respondents



CRL.O.P.Nos.14883, 14909, 14872 & 14993 of 2021

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records in pursuance to the show cause notice dated 03.08.2021 in No.58/K.A./E1 Ka.Ni./2021, from the 1st Respondent and consequentially to set aside the same.

Crl.O.P.No.14993 of 2021:-

Thameem Ansari

... Petitioner

Vs.

1. The Administrative Executive Magistrate cum
Greater Metropolitan Deputy Commissioner of Police,
Mylapore District,
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.

2. The Inspector of Police,
(Law & Order)
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records in pursuance to the show cause notice dated 03.08.2021 in No.63/K.A./E1 Ka.Ni./2021, from the 1st Respondent and consequentially to set aside the same.

(In all the petitions)

For Petitioner : Mr.L.Gavaskar

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side)



COMMON ORDER

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These Criminal Original Petitions have been filed to quash the impugned show cause notice dated 03.08.2021 from the 1st respondent.

2. The case of the prosecution is that there is a dispute between one Mr.Jayaseelan and the petitioners who are all the office bearers of Agha Mohideen Mosque in pursuant to the property bearing Door No.20, Mosque Street, Mylapore, Chennai. The said Jayaseelan is claiming that the aforesaid property belongs to him and similarly these petitioners are claiming that the aforesaid property belongs to Agha Mohideen Mosque. Both parties creating problem and there is possibility to create law and order problem between them. Therefore, the 2nd respondent had requested the 1st respondent to take action against the petitioners as per Section 107 of Cr.P.C. In pursuant to the request, the 2nd respondent issued show cause notice dated 03.08.2021 under section 107 of Cr.P.C.

3. These petitions have been filed challenging the show cause notice issued under section 107 of Cr.P.C. dated 3.8.2021. On perusal of the impugned show cause notice, it reveals that the petitioners were directed to



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appear before the 1st respondent for submitting their explanation. While admitting these petitions, no interim order was granted by this court. However, the proceedings is still pending on the file of the 1st respondent. Therefore, this court finds no merits in these petitions to quash the show cause notice issued by the 1st respondent. Therefore, the 1st respondent is directed to issue fresh summons to the petitioners and the petitioners are directed to appear for hearing. Thereafter, the 1st respondent is directed to pass orders on merits and in accordance with law.

4. Accordingly, these Criminal Original Petitions are dismissed. Consequently, connected miscellaneous petitions are closed.

07.11.2023

Index : Yes / No
Speaking / Non Speaking order
gvn



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G.K.ILANTHIRAIYAN, J.

gvn

To

1. The Administrative Executive Magistrate cum
Greater Metropolitan Deputy Commissioner of Police,
Mylapore District,
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.
2. The Inspector of Police,
(Law & Order)
E-1, Mylapore Police Station,
Mylapore, Chennai-600 004.
3. The Public Prosecutor,
High Court, Madras.

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