



W.P.No.13994 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.13994 of 2014

The Young Baduga Association
Rep. by its Secretary
L.Chandrasekaran
S/o Lakshmanan
Cash Bazaar, Ooty Road
Dr.Johee Building, Coonoor
The Nilgiris.

.. Petitioner

vs

1. The Collector
Nilgiri District, Udhagamandalam.
2. The Superintendent of Police
Udhagamandalam, Nilgiri District.
3. District Revenue Officer
Udhagamandalam.
4. Revenue Divisional Officer and
Sub Divisional Magistrate
Coonoor.
5. The Tahsildar
Udhagamandalam.

6. Buddhichandran

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorari, calling for the records on the file of the fourth respondent in No.2346/2014/B1 dated 14.05.2014 and quash the same.

For the Petitioner : Ms.S.Gajalakshmi
for M/s.Royan Law Associates

For the Respondents : Mr.P.Sanjay Gandhi
Government Advocate
for respondents 1 to 5

No Appearance
for respondent 6

ORDER

The order dated 14.05.2014 issued by the Sub-Divisional Magistrate and Revenue Divisional Officer, Coonoor under Section 144(2) of the Cr.P.C is under challenge in the present writ petition.

2. The petitioner is the Young Baduga Association. The Association is registered under the Societies Registration Act. The learned Government Advocate states that the petitioner has encroached upon a Government land. Since there was a law and order issue and the petitioners have encroached upon the public land, action were initiated under Criminal Procedure Code.



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The authorities, on enquiry, found that two groups of persons, one group led by Thiru.T.Gundan, Udhagai and other group led by Thiru.M.Buddhichandran, Udhagai and their supporters were trying to enter into the premises and building of the Young Baduga Association.

3. In view of the fact that there was a law and order issue and in order to maintain peace and tranquillity, an order was passed on 14.05.2014. Eight years lapsed and on account of efflux of time, this Court is of the opinion that the parties can ascertain the facts as of now and accordingly, initiate appropriate action, if necessary, in law by following the procedures as contemplated.

4. Therefore, no further consideration is required in respect of the grounds raised in the writ petition. Accordingly, the writ petition is disposed of. There will be no order as to costs. Consequently, M.P.No.1 of 2014 is closed.

Index : Yes/No

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Neutral Order: Yes/No
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To:

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2. The Superintendent of Police
Udhagamandalam, Nilgiri District.
3. District Revenue Officer
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S.M.SUBRAMANIAM,J.

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