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Crl OP No.22534/ 2021

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

DATED: 22.06.2023

CORAM :

**THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

Crl.O.P.No.22534 of 2021

and

Crl.M.P.No.12251 of 2021

1.Amalanathan

2.Periyanayagam

3.John Robert

4.Varakumar

5.Pachaimuthu @ Abiraham

6.Sundaraja Raj

...Petitioners

Versus

1. The Revenue Divisional Officer  
O/o. The Revenue Divisional Office,  
Tiruvannamalai.

2. Kulothilda Mary

...Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code seeking to call for the records pertaining to the order passed by the 1<sup>st</sup> respondent in M.C.No.A4/3713/2031 dated 03.09.2021 and set aside the same.



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For Petitioner : M/s.S.Manoharan  
For R1 : Mr.A.Damodaran  
Additional Public Prosecutor

### **ORDER**

The petition is to quash the order passed by the first respondent herein in M.C.No.A4/3713/2021, calling upon the petitioners to demolish the wall constructed in a pathway used by the general public.

2. Mr. A. Damodaran, the learned Additional Public Prosecutor, submitted that the order passed by the first respondent was implemented and the wall constructed by the petitioners has been demolished on 12.12.2022. Hence, nothing survives for adjudication in the instant quash petition.

3. In view of the said submission made by the learned Additional Public Prosecutor for the first respondent, this Court is not inclined to entertain this petition.

4. However, it is open to the petitioners to establish their right over the said disputed property in the manner known to law.



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5. With the above observations, the Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

22.06.2023

*dk*

Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

To

1. The Revenue Divisional Officer  
O/o. The Revenue Divisional Office,  
Tiruvannamalai.

2. The Public Prosecutor  
High Court of Madras  
Chennai – 600 104.



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**SUNDER MOHAN, J**

*dk*

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