



WEB COPY

W.P.No.31847 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.31847 of 2017

and

W.M.P.Nos.34994 & 34995 of 2017

V.Narayanan

... Petitioner

Vs.

- 1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
- 2.The District Revenue Officer,
Tiruvannamalai District,
Tiruvannamalai.
- 3.The Tahsildar,
Tiruvannamalai Taluk,
Tiruvannamalai District.
- 4.The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.
- 5.The Village Administrative Officer,
Kadambai Village,
Tiruvannamalai Taluk,
Tiruvannamalai District.



6.The Inspector of Police,
Keel Pennathur Village,
Tiruvannamalai District.

7.S.Kuppusamy

8.S.Sengalvarayan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order vide Seyalmuraigal No.A4/4762/2015 dated 21.12.2016 passed by the 4th respondent and quash the same and to direct the 1st respondent to transfer the enquiry to some other officer, who is not below the rank of Revenue Divisional Officer on the basis of Petitioner's representation dated 06.12.2016.

For Petitioner	: Mr.G.Mohan For M/s.S.Kumara Devan
For R1 to R6	: Mr.E.Sundaram Government Advocate
For R7 to R8	: Mr.M.A.R.Pragash

ORDER

The order dated 21.12.2016 passed by the Revenue Divisional Officer, Tiruvannamalai is under challenge in the present writ petition.



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2. The order impugned was passed in the proceedings initiated under Section 145 of Criminal Procedure Code. The civil dispute exists between the petitioner and the respondents 7 and 8. Law and Order problem was created between the parties and the competent authority initiated Section 145 Criminal Procedure Code proceedings and the Revenue Divisional Officer passed an order.

3. The 145 proceeding was concluded in the year 2016 and now seven years lapsed. Since the civil dispute exists between the parties relating to an immovable property, they have to resolve the issues through Civil Court of Law. As far as the 145 proceedings are concerned the same lost its relevance on account of efflux of time of about 7 years. To establish the civil rights, the petitioner is at liberty to approach the competent civil court of law.

4. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

26.07.2023

Jeni
Index : Yes



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Neutral Citation : Yes
Speaking order

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To

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Tiruvannamalai District,
Tiruvannamalai.
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Tiruvannamalai.
- 3.The Tahsildar,
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Tiruvannamalai District.
- 4.The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.
- 5.The Village Administrative Officer,
Kadambai Village,
Tiruvannamalai Taluk,
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S.M.SUBRAMANIAM, J.

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