



Crl.O.P.(MD)No.5194 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5194 of 2023

S.Karuppaiah

...Petitioner

Vs.

1.TMT.Sudhamalya

Deputy Inspector General of
Registration Department,
Vellor.

2.Mohamed Jaffar Sadik,

Nodal Officer,
SC/ST Nodal Committee,
Additional Inspector General of Registration
100 Santhom High Road,
Chennai – 28.

3.Tmt.Angayarkanni

Additional Inspector General of Registration,
100 Santhom High Road,
Chennai – 28.

...Respondents/Proposed Accused



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PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the docket order in unnumbered private complaint in C.C.No. /2023 dated 07.03.2023 on the file of the Learned Sessions Judge, Special Court Trial of cases under SC/ST (PoA) Act, Dindigul, dated 07.03.2023 and further direct the learned Special Judge for SC/ST to number the private complaint and to take the complaint preferred by the petitioner dated 21.02.2023 on the file to deal with the complaint in accordance with law.

For Petitioner : Mr.Mohamed Azharudeen Sharof.S

For Respondent :

ORDER

Challenging the return endorsment in unnumbered private complaint that was made by the Special Court Trial of cases under SC/ST (PoA) Act, Dindigul, this petition has been filed.

2. Now the grievances of the petitioner is that he has filed the above said private complaint making some sort of allegations, even without recording statement of the complainant, the above said docket order has been passed by the Special Court, questioning the jurisdiction



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of the Special Court to entertain the complaint.

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3. Jurisdiction of the Special Court should not be decided on the administrative's side without even numbering the petition. It must be taken on the judicial side and also given opportunity to the petitioner. The above said jurisdictional issue ought to have been decided by the Special Court, without ordering of such judicial process, the above said return ought not to have been made. On the sole ground, the above said order is set aside.

4. Let the above said closed petition be represented before the Special Court Trial of cases under SC/ST (PoA) Act, Dindigul. The Special Court Trial of cases under SC/ST (PoA) Act, Dindigul, may process the above said petition and if entertains doubt with regard to the jurisdiction, it can be decided on its own merits with giving opportunity to the petitioner.

5. With the above said liberty and direction, this petition stands allowed.



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6. For the purpose of representing the same to the concerned court

the above said petition be returned to the petitioner by properly
acknowledged by the Registry.

20.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Indu



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To

1. The Sessions Judge,
Special Court Trial of Cases
Under SC/ST (POA) Act,
Dindigul.
2. TMT. Sudhamalya
Deputy Inspector General of Registration Department,
Vellor.
3. Mohamed Jaffar Sadik,
Nodal Officer,
SC/ST Nodal Committee,
Additional Inspector General of Registration
100 Santhom High Road,
Chennai – 28.
4. Tmt. Angayarkanni
Additional Inspector General of Registration
100 Santhom High Road,
Chennai – 28.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

Indu

Order made in
Crl.O.P.(MD)No.5194 of 2023

Dated: 20.03.2023