



W.P.(MD)No.15089 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.06.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

W.P.(MD) No.15089 of 2023

Chidambaram.RM

... Petitioner

Vs.

1.The Assistant Commissioner of Police,
Anti Land Grabbing Cell,
Madurai City.

2.Ramanathan.V.L

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned summons dated 21.06.2023 issued by the 1st respondent under section 90 and 160 of the Code of Criminal Procedure, to the petitioner herein and quash the same.

For Petitioner : Mr.V.R.Shanmuganathan

For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor



W.P.(MD)No.15089 of 2023

ORDER

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This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorari, calling for the records relating to the impugned summons dated 21.06.2023 issued by the 1st respondent under section 90 and 160 of the Code of Criminal Procedure, to the petitioner herein and quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the 1st respondent.

3. The learned counsel for the petitioner would submit that by virtue of the judgment of honourable Supreme Court in Civil Appeal Nos.1580-1608 of 2022 in G.O.(Ms). No.423 dated 28.07.2011 establishing Special Cells for Land Grabbing, the matter has been quashed.

3. The summon has been issued to the petitioner dated 21.06.2023. Subsequent to the above said judgment, it is per se illegal. The above said case must be transferred to some other agency and for that purpose,



W.P.(MD)No.15089 of 2023

the Government has to take action. Since the above said case has been abolished, nothing survives for them to issue any such summons. On that sole ground, the above said summon is quashed. Let the learned Additional Public Prosecutor inform the Government about the development.

4. With the above direction, this writ petition stands dismissed.

No costs.

23.06.2023

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

Indu

To

1.The Assistant Commissioner of Police,
Anti Land Grabbing Cell,
Madurai City.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

3/4



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W.P.(MD)No.15089 of 2023

G.ILANGO VAN,J.

Indu

Order made in
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