



Crl.O.P.(MD)No.14328 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.14328 of 2023
and Crl.M.P(MD).Nos.11233 and 11234 of 2023

Muthupandi

... Petitioner

Vs.

1.The Sub Divisional Magistrate/Sub Collector,
Tirunelveli,
Tirunelveli District.

2.The State rep. by
The Inspector of Police,
Thaliayuthu Police Station,
Tirunelveli District.

3.Shanmugavel

4.Shanmuga Sundaram

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the impugned proceedings bearing A5/M.C.No.298 of 2023 dated 25.07.2023 on the file of the Sub Divisional Magistrate/Sub Collector, Tirunelveli, Tirunelveli District and quash the same as illegal and devoid of merits.

For Petitioner : Mr.N.Vijayalakshmi
For Respondents : Mr.S.S.Madhavan
Government Advocate(Crl.Side)



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ORDER

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This Criminal Original petition has been filed to call for the impugned proceedings bearing A5/M.C.No.298 of 2023 dated 25.07.2023 on the file of the Sub Divisional Magistrate/Sub Collector, Tirunelveli, Tirunelveli District and quash the same as illegal and devoid of merits.

2. The learned counsel for the petitioner submitted that because of the land dispute between the parties, 107 of Cr.P.C proceedings have been initiated against the petitioner.

3. When the matter is taken up for hearing, the learned Government Advocate (Crl. Side) appearing for the respondent police submitted that in respect of the property dispute between the parties, suit in O.S.No.267 of 2023 is pending before the Sub Court, Tirunelveli. He further submitted that in I.A.No.01 of 2023, the status quo order has been passed and in I.A.No.2 of 2023, An Advocate Commissioner was appointed.



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4. Considering the submission made by learned Government Advocate (Crl.Side), the first respondent is directed to may close impugned proceedings bearing A5/M.C.No.298 of 2023 dated 25.07.2023, by directing the parties to workout their remedy in the pending suit itself.

With the above directions, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petitions are closed.

04.08.2023

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

To

- 1.The Sub Divisional Magistrate/Sub Collector,
Tirunelveli,
Tirunelveli District.
- 2.The Inspector of Police,
Thaliayuthu Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN,J

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Order made in

Crl.O.P.(MD)No.14328 of 2023

Dated: 04.08.2023