



Crl.R.C(MD)No.548 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2023

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C(MD)No.548 of 2018

Paramaraj (died) ... Petitioner/A Party
K.Natarajan ... Substituted Petitioner

(K.Natarajan substituted as per the order of this Court
dated 31.01.2023 in Crl.M.P(MD)No.1094 of 2023
in Crl.R.C(MD)No.548 of 2018)

Vs.

1.The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District. ... 1st Respondent/
Adjudicating Authority
2.The Inspector of Police,
Ottapidaram Police Station,
Tuticorin District. ... 2nd Respondent/
Respondent
3.Soundarapandian ... 3rd Respondent/
B Party

PRAYER: Criminal Revision Case filed under Sections 397 r/w 401 and 482 of the Code of Criminal Procedure, to set aside the order dated 12.09.2018 passed by the first respondent in proceedings in Na.Ka.No.A1/638/18.



Crl.R.C(MD)No.548 of 2018

For Petitioner : Mr.N.Pandivelrajan

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For RR 1 & 2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

For R – 3 : Mr.C.Jeganathan

ORDER

This revision has been filed as against the order passed by the first respondent in proceedings in Na.Ka.No.A1/638/18, dated 12.09.2018, thereby directing both the parties, namely, the deceased petitioner and the third respondent herein not to enter into the subject property.

2.Heard the learned counsel appearing on either side and perused the materials available on record.

3.There was a dispute between the deceased petitioner and the third respondent herein in respect of the land comprised in Survey No.141/9 to an extent of 41 cents situated at Sinthalakattai Village, Ottapidaram Taluk, Tuticorin District. Both the parties belonged to different communities and as such, there was a dispute in respect of enjoying the said land. In that regard, there was a complaint, in which the second respondent registered the F.I.R in



Crl.R.C(MD)No.548 of 2018

Crime No.13 of 2018 for the offence under Section 145 of Cr.P.C and referred the F.I.R to the file of the first respondent herein. The first respondent conducted an enquiry after giving opportunities to the deceased petitioner and the third respondent. During the enquiry, both parties failed to produce any document in order to prove their respective title, namely, the subject property. Therefore, the first respondent rightly restrained the deceased petitioner as well as the third respondent not to enter into the property comprised in Survey No.141/9, which is classified as Grama Natham Government poramboke at Sinthalakattai Village, Ottapidaram Taluk, Tuticorin District. Therefore, this Court finds no infirmity or illegality in the order passed by the first respondent and the same does not warrant any interference by this Court. Hence, this Criminal Revision Case is dismissed. However, if the substituted petitioner or the third respondent obtained any decree with regard to the title over the subject property before the competent civil Court, they can very well deal with the property.

18.04.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
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Crl.R.C(MD)No.548 of 2018

To

1.The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.

2.The Inspector of Police,
Ottapidaram Police Station,
Tuticorin District.



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Crl.R.C(MD)No.548 of 2018

G.K.ILANTHIRAIYAN, J.

ps

Order made in
Crl.R.C(MD)No.548 of 2018

18.04.2023