



WEB COPY

W.A.(MD) No.1098 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.A.(MD) No.1098 of 2023
and
C.M.P.(MD) No.8444 of 2023**

M.Vellaichamy

... Appellant

-vs-

1.The District Collector
Virudhunagar District

2.The Sub-Divisional Magistrate
cum Revenue Divisional Officer
Madurai

3.Inspector of Police
Nathampatti Police Station
Virudhunagar District

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 12.09.2022, passed in W.P.(MD) No.4564 of 2014, on the file of this Court.



WEB COPY

W.A.(MD) No.1098 of 2023

For Appellant : Mr.S.Karunakar
For Respondents : Mr.T.Villavan Kothai
Additional Government Pleader for R1 to R3

J U D G M E N T

[Judgment of the Court was made by S.S.SUNDAR, J.]

This writ appeal is directed against the order of the learned Single Judge, dated 12.09.2022, passed in W.P.(MD) No.4564 of 2014.

2. This Court finds that the writ petition in W.P.(MD) No.4564 of 2014 is filed against the Revenue Divisional Officer's report under Section 174 of the Code of Criminal Procedure.

3. The learned Single Judge has dismissed the writ petition, on the ground that the report under Section 174 Cr.P.C., is only a piece of evidence and the same is neither binding on the Police nor the Court. Therefore, the learned Single Judge has held that the said report cannot be challenged in a writ petition.



WEB COPY



W.A.(MD) No.1098 of 2023

4. This Court finds that the view expressed by the learned Single Judge in dismissing the writ petition is in accordance with principles established by law and precedents. Hence, this Court finds no ground to interfere with the order passed by the learned Single Judge.

5. Accordingly, this writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.]

[D.B.C., J.]

19.07.2023

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

krk

To:

- 1.The District Collector,
Virudhunagar District.
- 2.The Sub-Divisional Magistrate-
cum-Revenue Divisional Officer,
Madurai.
- 3.The Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.



WEB COPY



W.A.(MD) No.1098 of 2023

S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

krk

W.A.(MD) No.1098 of 2023
and
C.M.P.(MD) No.8444 of 2023

19.07.2023