



Crl.R.C.(MD).No.72 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.72 of 2023

Gopal

... Petitioner/Complainant

Vs.

1. The Inspector of Police,
District Crime Branch (Land Grabbing),
Thoothukudi.
2. The Superintendent of Police,
Thoothukudi District.
3. Palraj @ Esakki Thevar
4. Murugan
5. Sankara Pandian
6. Kasithevar
7. Esakkimuthu
8. Maharajan
9. Vinayathammal
10. Kottaipandi
11. Sudalai Vadivu
12. Esakiammal



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13. Muthu

14. Esakki Muthu

15. Sudalaivadivu

16. Ponpandi

... Respondents / Respondents

PRAYER: This Civil Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records and set aside the order passed by the Judicial Magistrate, Special Court for Land Grabbing Case, Thoothukudi in Cr.M.P No. 426 of 2022 dated 27.06.2022.

For Petitioner : Mr. Chengiz Khan K

For R1 and R2 : Mr. Sakthikumar,
Government Advocate (Crl. Side)

For R4 to R11
and R13 to R16 : Mr. Malaiyendran.V

ORDER

This Criminal Revision Case has been filed against the order passed by the Judicial Magistrate, Special Court for Land Grabbing Case, Thoothukudi, in Cr.M.P No. 426 of 2022, dated 27.06.2022.

2. A serious allegation has been made to the effect that after disposal of the suit in O.S.No.110 of 1997 on the file of the District Munsif Court,



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Thoothukudi, a correction has been made in the suit register that is maintained by the concerned Court, by inserting Survey No.307/1A1A3. If this is the allegation is on the part of the revision petitioner, he ought to have approached the concerned Court itself, before which, the above said document is available. Allegation of correction has been made only in the Court, so that Court is competent to enquire the matter. If any criminality is noticed that can be referred to the investigation agency. Without approaching the concerned Court, it appears that the petitioner has approached the learned Judicial Magistrate No.1, Thoothukudi, by filing the petition under Section 156(3) of Cr.P.C. seeking direction. Even though some observation has been made to the effect that this is civil dispute, it has no binding effect upon the further process to be undertaken by the petitioner as well as the concerned Court. Question of setting aside the above said observation does not arise at all. He has chosen a wrong forum and observation that has been made by the concerned Court as mentioned above will not have any effect at all. With the liberty to the petitioner to approach the concerned Court for ventilating his grievances, this revision is dismissed.



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4. In view of the above, this revision case stands dismissed.

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NCC :Yes / No
Index : Yes / No
Internet : Yes / No
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1. The Inspector of Police,
District Crime Branch (Land Grabbing),
Thoothukudi.
2. The Superintendent of Police,
Thoothukudi District.
3. The Government Advocate (Crl.Side),
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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