



WEB COPY



Crl.R.C.No.536 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

Crl.R.C.No.536 of 2024
and
Crl.M.P.No.4984 of 2024

1.Balasubramaniam
2.Arumugam
3.Saraswathi

... Petitioners

Vs.

1.The Sub Divisional Magistrate/Revenue Divisional Officer,
Udumalpet.

2.State Represented by
Inspector of Police,
Udumalaipet.

3.Kalimuthu
4.Venkatachalam
5.Senthil @ Kalimuthu

... Respondents

Prayer : Criminal Revision Case filed under Section 397 r/w 401 of Cr.P.C, praying to call for the entire records and set aside the order dated 10.01.2024 in Na.Ka.No.2102/2023/A2 passed by the 1st respondent.



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For Petitioners : Mr.M.Mariappan

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side) [R1 & R2]
Mr.K.Selvakumaraswamy [R3 to R5]

ORDER

This Criminal Revision Case has been filed by the petitioner against the order dated 10.01.2024 passed by the 1st respondent in Na.Ka.No.2102/2023/A2.

2. The case of the petitioners is that, there was a pathway dispute between the petitioners and the respondents 3 to 5, thereby the law enforcing agency referred the dispute to the 1st respondent and the 1st respondent, after hearing the petitioners as well as the private respondents, passed the impugned order dated 10.01.2024 u/s 107 of Cr.P.C. directing the 2nd respondent to maintain law and order issue and restrained the parties not to indulge in any unlawful activities. Challenging the same, the petitioners have filed the present revision before this court.

3. Learned counsel appearing for the petitioner submitted that the



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1st petitioner had filed a suit in O.S.No.131 of 2023 on the file of District Munsif Court, Udumalpet and the private respondents have also filed a civil suit. Therefore, the learned counsel appearing for the petitioner submitted that, without going into the merits of the case, this court may grant liberty to the petitioners to workout the remedy before the civil court, where the civil suits are pending, in the manner known to law.

4. In view of the above, this Criminal Revision Case is dismissed with the above liberty. However, the impugned order passed by the 1st respondent will continue and the same is subject to the result of the civil suits filed by the 1st petitioner as well as the private respondents.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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M.DHANDAPANI, J.

sp

To

- 1.The Sub Divisional Magistrate/Revenue Divisional Officer, Udumalpet.
- 2.The Inspector of Police, Udumalaipet.
- 3.The Public Prosecutor, Madras High Court, Chennai.

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