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CrI.R.C.No.613 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.R.C.No.613 of 2023

T.Subramani

... Petitioner

Vs.

R.Sasikumar

... Respondent

Prayer:

Criminal Revision Case filed under Section 397 r/w 401 of Criminal Procedure Code, seeking to set aside the order passed in C.M.P.No.5095 of 2021 dated 07.01.2023 on the file of the Judicial Magistrate No.IV, Salem and to take the complaint on the file and proceed in accordance with Code of Criminal Procedure.

For Petitioner : Mr.V.Elangovan
For Respondent : Ms.G.Karunadevi
for M/s.J.Jawahar

O R D E R

This criminal revision has been filed seeking to set aside the order passed in C.M.P.No.5095 of 2021 dated 07.01.2023 on the file of the learned Judicial Magistrate No.IV, Salem.



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2.The learned counsel appearing for the petitioner submitted that the petitioner was working as Professor and Head of Department of Civil Engineering in Vinayaga Mission Kirubanandavariar Engineering College, Salem and the respondent who is the Principal developed malignant and disrespectful attitude towards the petitioner and without assigning any reason posted a circular in the public domain and social media on 13.09.2021 calling the petitioner as Professor and relieved the petitioner from the office of Head of Department of Civil Engineering. Hence, the petitioner filed private complaint under Section 200 of Cr.P.C., however, the learned Judicial Magistrate No.IV, Salem dismissed the complaint.

3.The learned counsel appearing for the petitioner further submitted that the petitioner is a scholarly eminent person and without recognizing his education, the respondent relieved the petitioner from the post of Head of Department of Civil Engineering and also posted the same in the public domain and such defamatory action of the respondent has to be taken cognizance by the trial Court, however, the trial Court dismissed the complaint filed by the petitioner which is not sustainable one.



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4.The learned counsel appearing for the respondent submitted that it is purely service dispute between the petitioner and the respondent and it has to be ventilated only before the appropriate Forum.

5.Perusal of records reveal that the petitioner was demoted to the lower post by the Principal/ respondent. If at all the petitioner has any grievance, the petitioner has to work out the remedy before the appropriate Forum.

6.In view of the above, this criminal revision case is dismissed. Liberty is granted to the petitioner to work out the remedy in the manner known to law.

02.08.2024

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

1.The Judicial Magistrate No.IV,
Salem.

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M.DHANDAPANI,J.
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