



Crl.RC.No.2136 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

Crl.RC.No.2136 of 2023

and

Crl.MP.No.19386 of 2023

T.Alamelu

...Petitioner

Vs.

1. The Sub-Collector.,
O/o. The Sub-Collector,
Dharmapuri, Dharmapuri District.
2. The Deputy Superintendent of Police,
Palacode, Dharmapuri District.
3. The Inspector of Police,
Magendramangalam Police Station,
Dharmapuri District.

...Respondents

Criminal Revision case filed under Section 397 r/w 401 of Cr.P.C. to call for the records pertaining to the order dated 20.04.2022 made in Na.Ka.No.7012/2021/A2 on the file of the 1st respondent and set aside the same.

For Petitioner : M/r.V.Ramamurthy
for Mr.R.Amardeep

For Respondents : Mr.A.Gopinath,



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Government Advocate (Crl. Side)

ORDER

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This Criminal revision case has been filed seeking quashment of the order of the 1st respondent dated 20.04.2022 passed in Na.Ka.No.7012/2021/A2.

2. The case of the petitioner is that, there was a property dispute in between the petitioner/A Party and the residents of the Moranahalli village/ B Party and the same landed before the 1st respondent, who after conducting enquiry, passed the present impugned restraint order dated 20.04.2022, restraining the petitioner and the B party from entering into the disputed property. Challenging the same, the petitioner has come up with this revision.

3. This Court gave its careful consideration to the submissions advanced by the learned counsel on either side and perused the materials placed on record.



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4. Though very many grounds have been raised by the learned counsel for the petitioner against the order impugned, in view of the fact that, in respect of the very same property, a suit has been filed by the B party in OS.No.34 of 2022 on the file of the Sub Court, Palacode and the same is pending, this Court cannot adjudicate the very same issue in the present revision, as the impugned order is the subject result of the above suit in OS.No.34 of 2022. Hence, this Court is not inclined to interfere with the order impugned. However, the petitioner is at liberty to canvass all his grievances before the civil court, where the suit is pending. It is open to the succeeding party to proceed with the matter in the manner known law.

5. For the reasons aforesaid, this Criminal Revision case stands dismissed. Consequently, the connected Miscellaneous petition is closed.

22.07.2024

skt

NCC : Yes/No
Index : Yes/No
Speaking order : Yes/No

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To

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O/o. The Sub-Collector,
Dharmapuri, Dharmapuri District.
2. The Deputy Superintendent of Police,
Palacode, Dharmapuri District.
3. The Inspector of Police,
Magendramangalam Police Station,
Dharmapuri District.
4. The Public Prosecutor,
High Court of Madras.



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M.DHANDAPANI, J.

skt

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