



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 21.08.2024

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Rev. Aplw(MD)No.157 of 2024
and W.M.P(MD)No.17130 of 2024
in
W.P(MD)No.12037 of 2021

Rajendran : Review Petitioner/3rd Party
-VS-

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.

... Respondents / Respondents

3.M.Raja

... 3rd respondent / Petitioner

PRAYER: Petition filed under Section Order XLVII Rule 1 & 2 of CPC r/w. Section 114 C.P.C, to review the order passed by this Court in W.P. (MD)No.12037 of 2021, dated 16.07.2021.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor for R1 & R2

ORDER

This review application is filed to review the order dated.
16.07.2021 passed in W.P.(MD)No.12037 of 2021.



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2. Heard the learned counsel on either side and perused the material records of the case.

3. The operative portion of the order dated 16.07.2021 is extracted here under:

“ Considering the submission of the learned counsel for the petitioner and considering the fact that the civil suit is pending between the parties, this Court is inclined to issue a direction Accordingly, the second respondent is directed to consider the representation of the petitioner dated 03.07.2021 in accordance with law within a period of two weeks from the date of receipt of a copy of this order”.

4. Thus, it can be seen that it is an innocuous order to consider the representation in accordance with law. The said order cannot be viewed as causing prejudice to the petitioner. The only contention of the learned counsel for the petitioner is that pursuant to the said order, the petitioner's representation is not being considered. The petitioner has got an order to consider his representation. If the same is not being considered, it is for the petitioner to file appropriate contempt application. The order passed in the present Writ Petition is to consider



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representation of the other side will not in any manner undo the order which is granted in favour of the petitioner. In any event, it can be seen that both parties have obtained orders to consider the representation. In both matters, they are contending that the matter is civil in nature and the respondent police cannot interfere. It can be seen that if the dispute is with reference to the land, when the parties have already approached the Civil Court, the rights of the parties will be determined only as per the Civil Court decree. Therefore, order of this Court, directing the respondent to consider the representation, cannot in any manner hamper the rights of the parties.

5. Accordingly, the Review Application stands disposed, with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

21.08.2024

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



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D.BHARATHA CHAKRAVARTHY,J.

LS

To

- 1.The Superintendent of Police,
Dindigul District.
- 2.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Rev. Aplw(MD)No.157 of 2024
and W.M.P(MD)No.17130 of 2024
in W.P(MD)No.12037 of 2021

21.08.2024