



WEB COPY

WA No. 1007 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-04-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WA No. 1007 of 2025

P.Vadivel

Appellant(s)

Vs

1.The District Collector
Office of the District Collector
Coimbatore, State Bank Road,
Coimbatore District-641018.

2.The Revenue Divisional Officer
Coimbatore South, State Bank Road,
Coimbatore District-641018.

3.The Thasildhar
Madukarai Taluk, Madukarai
Coimbatore-641105

Respondent(s)



WA No. 1007 of 2025

PRAYER

WEB COPY To set aside the order passed in WP No.3201/2025 dated 03.02.2025

WA No. 1007 of 2025

For Appellant(s): Mr.C.D.Sugumar

For Respondent(s): Mr.Vadivelu Deenadayalan AGP

JUDGMENT

(Judgment was delivered by S.M.Subramaniam J.)

The proceedings of the Revenue Divisional Officer (RDO), Coimbatore South, issued under Section 107 of the Civil Procedure Code for conducting an enquiry was under challenge in the writ proceedings before the learned single Judge. The learned Single Judge declined to entertain the writ petition and thus, the present writ appeal.

2. The learned counsel for the appellant would contend that Section 107 of the Criminal Procedure Code proceedings initiated must be completed within a time limit. The notice issued under Section 107 proceedings would not provide a cause for institution of the writ proceedings. A person received such notice is expected to participate in the enquiry and submit his explanation /



defence before the Executive Magistrate concerned. The procedures contemplated under Section 107 is of paramount importance for the purpose of maintaining peace and tranquillity in a particular locality.

3. Therefore, Courts cannot fix a time limit, since it is the procedure to be followed based on the field situation prevails and the Executive Magistrate will be the best person to take a decision. Therefore, this Court do not find any reason to interfere with the writ order impugned and consequently the Writ Appeal stands dismissed. No costs.

4. The observations made by the learned Single Judge in the writ order impugned is obiter dicta and not a precedent. Therefore, the enquiry must be conducted independently and in accordance with law.

(S.M.SUBRAMANIAM J.) (K.RAJASEKAR J.)

04-04-2025

Jeni

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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S.M.SUBRAMANIAM J.
AND

K.RAJASEKAR J.
Jeni

To

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