



CrI.R.C.No.1718 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.03.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.R.C.No.1718 of 2023

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N.Ravi, S/o Natesan Gounder

.. Petitioner

Vs.

1. Rajendran, S/o Kuppa Gounder
2. Ammu, W/o Devendran
3. R.Rajesh,
Village Administrative Officer,
Melvailamur Village & Post,
Melmalayanur Taluk,Villupuram District.

4. Kuberandarn,
Regional Deputy Tahsildar,
Melvailamur Village

Presently,
Deputy Tahsildar (Election Wing),
Melmalayanur Taluk,
Villupuram District.

5. S.Nehrunissa,
Tahsildar,
Office of the Tahsildar,
Melmalaiyanur Taluk.

Presentlly, Special Tahsildar,
Social Welfare Department,
Taluk Office, Gingee, Villupuram District.

.. Respondents



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Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C. against the order dated 11.08.2023 passed by the Judicial Magistrate, Gingee in Criminal Miscellaneous Petition No.1228 of 2022, thereby dismissing the private complaint preferred by the petitioner under Section 156(3) Cr.P.C.

For petitioner : Mr.M.Velan for M/s.T.Saikrishnan

For respondents: Mr.N.Elumalai, for RR-1 and 2

Not ready in notice - service awaited regarding RR-3 to 5

ORDER

This revision petition is filed by the revision petitioner/complainant, challenging the order of dismissal, dated 11.08.2023, passed under Section 203 Cr.P.C. in CrI.M.P.No.1228 of 2022 (private complaint filed under Sections 200 and 156(3) Cr.P.C. to direct the Police to register a case).

2. Learned counsel for the revision petitioner/complainant, while challenging the impugned order of dismissal of the private complaint, raised a ground that the dispute between the parties in this case is only civil in nature.

3. Learned counsel for the revision petitioner/complainant contended that the disputed properties belong to the revision petitioner's family. The accused



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persons have tampered with the documents of Patta, etc., and taking advantage of the Patta, the parties have executed a sale deed in favour of the daughter of A1. The allegation is that the parties have also forged the Patta and not approached the Revenue Authority for change of particulars and A1 has no right and title to commit the said act. The report received under the Right to Information Act also reveals that A1 did not approach the Revenue Authority for change of Patta and they have straight-away changed the Patta with the help of the Registration Department. The competent authority has not issued any direction to the private respondents herein and therefore, the accused person(s) have forged the document(s), and hence, the complainant has preferred the present private complaint before the Court below. The learned Magistrate failed to consider the said contentions raised in the private complaint, which was dismissed by the learned Magistrate, against which, the present revision petition is filed by the complainant.

4. This Court also heard the submissions made by the learned counsel appearing for respondents 1 and 2.

5. It is seen from the records that the revision petitioner has preferred a private complaint, whereas, on a reading of the records, it is clear that there is

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only dispute regarding the issuance of Patta. The revision petitioner has stated that there is no dispute with regard to the right and title of the property in question and not the Patta.

6. It is settled proposition of law that the Patta will not confer any right, title and interest, on a person who obtained Patta.

7. Further, as far as any change of Patta is concerned, without following due process of law, the revision petitioner/complainant has straight-away approached the Court below and he has got remedy only before the competent authority under the Tamil Nadu Patta Passbook Act or from the competent Civil Court. Without adopting due course of law, the revision petitioner has filed the private complaint. The learned Magistrate has rightly found that the dispute alleged by the petitioner/complainant is only civil in nature.

8. Hence, this Court does not find any irregularity, infirmity and perversity in the impugned order and there is no reason to interfere with the impugned order.

9. Accordingly, this revision petition is dismissed, with liberty to the



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revision petitioner/complainant to work out his remedy in the manner known to

law.
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To

1. The Judicial Magistrate, Gingee, Villupuram District.
2. The Section Officer, Criminal Section, High Court, Madras.
3. The Village Administrative Officer,
Melvailamur Village & Post,
Melmalayanur Taluk,
Villupuram District.
4. The Regional Deputy Tahsildar,
Melvailamur Village, Villupuram District.
5. The Deputy Tahsildar (Election Wing),
Melmalayanur Taluk,
Villupuram District.
6. Tahsildar,
Office of the Tahsildar,
Melmalaiyanur Taluk. Villupuram District.
7. The Special Tahsildar,
Social Welfare Department,
Taluk Office, Gingee,
Villupuram District.
8. The Public Prosecutor, High Court, Madras.

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