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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.R.C.No.1373 of 2004

M.P. Adhimoolam

... Petitioner

Vs.

1. The Director General of Police,
Dumas Street, White Town,
Puducherry.

2. The Senior Superintendent of Police (L &O),
Puducherry.

3. Superintendent of Police (North),
Puducherry.

4. The Station House Officer,
Mettupalayam Police Station,
Puducherry.

5. K. Anuradha

6. K. Saraswathi (died)

7. M. Krishnan

... Respondent

PRAYER : This petition is filed under Section 397 and 401 of CrPc to set aside the order passed by the Hon'ble Judicial Magistrate Court No.IV (FAC) at Puducherry in Crl.M.P.No.2974 of 2023 dated 26.07.2023 and register the complaint under Section 156(3) of Cr.P.C r/w Section 200 of Cr.P.C filed by the petitioner.



For Petitioner

:Mr.V. Maharajan

For Respondents 1 to 4

:Mr.K.S.Mohandass,
Public prosecutor(Pondicherry)

For respondents 5 an 7

: Mr.V. Kamala Kumar

For Respondent – 6

: Died

ORDER

This Criminal Revision Case has been filed to set aside the order passed by the Judicial Magistrate Court No.IV (FAC) at Puducherry in CrI.M.P.No.2974 of 2023 dated 26.07.2023 and register the complaint under Section 156(3) of Cr.P.C r/w Section 200 of Cr.P.C filed by the petitioner.

2. The facts of the case is that the petitioner was the Managing Director of M/s Jayasakthi Leathers (P) ltd. He purchased the said company in the year 2001 after getting all approvals from PIPDIC, Pondicherry. The sum and substance of the case is that since the company defaulted in payment of loan in the year 2013 PIPDIC published auction on the plots 19 to 24 measuring 6000 sq ft belonging to the said company viz., M/s Jayasakthi Leathers (P) Ltd, whereas the said auction did not happen. Pursuant to which another publication for auction was conducted by the said PIPDIC in the year 2014. In the said publication, PIPDIC issued auction publication for only 5,000 sq.ft of land excluding 100 sq.ft in Plot



No.24. Further the erstwhile M.D. and his son Ramesh had already executed a sale deed in favour of one Saraswathy Vide Doc. No.1174/2022 dated 22.12.2010. Hence, there was dispute among them, due to which the petitioner filed a CrI.M.P.No.2974 of 2023 before the Judicial Magistrate Court No.IV (FAC) at Puducherry and the same was dismissed on 26.07.2023.

3. The learned counsel for the petitioner submitted that PIPDIC committed an offence in publication and given wrong information to the public by careless and negligence. Hence, the second publication is not valid in the eye of law and the Court below has not considered the same. He further submitted that the former MD and his son has executed a sale deed before the public auction date. Hence, prays to allow this petition.

4. The learned Public Prosecutor appearing for the official respondents submits that the petitioner has given criminal complaints before the police station and also filed a civil suit with regard to the issue. He further submitted that nothing can be decided in this petition as the matter is of civil in nature. Hence, prays to dismiss this petition.

5. Heard both sides and perused the material available on record.



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6. On a perusal of records it can be ascertained that both the petitioner and the proposed accused persons have dispute with regard to the subject property. The petitioner has further admitted that during 2013, the PIPDIC have issued public auction including Plot No.24. The petitioner claims that the said plot was sold by the erstwhile owner of the petitioner company to one Saraswathy as early as in the year 2011 itself. All the said facts disclosed a civil dispute. A civil dispute cannot be given a criminal colour through criminal proceedings.

7. For the reasons stated above, the Judicial Magistrate Court No.IV (FAC) at Puducherry in CrI.M.P.No.2974 of 2023 dated 26.07.2023 is confirmed and this Criminal Revision stands dismissed.

27.10.2025

smn

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

T.V.THAMILSELVI, J.



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To

1. Inspector of Police,
T5 Kundrathur Police Station,
Kundrathur, Chennai – 600 069.

2. The Judicial Magistrate, Sriperumbudur, Kancheepuram District

CrI.R.C.No.1373 of 2024

27.10.2025