



CrI.O.P.(MD)No.12107 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.12107 of 2025
and
CrI.M.P.(MD)No.9351 of 2025

1.Muthuvairavan

2.M.Madhusudhanan

... Petitioners

Vs.

1.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
Cr.No.673 of 2021.

2.The Village Administrative Officer,
Veeriyankottai Village,
Peravurani Taluk,
Thanjavur District

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the records pertaining to PRC.No.6 of 2025 on the file of the learned District Munsif and Judicial Magistrate, Peravurani and quash the same.

For Petitioners

: Mr.S.Venkatesh



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Crl.O.P.(MD)No.12107 of 2025

For R1

: Mr.A.S.Abul Kalaam Azad,
Government Advocate(Crl.side)

ORDER

The petitioners, who are A1 & A2 in PRC.No.6 of 2025 on the file of the learned District Munsif and Judicial Magistrate, Peravurani, have filed this petition to quash the said proceedings.

2.The defacto complainant in this case is a Village Administrative Officer. The prosecution case is that the petitioner has encroached upon the Government land and also prevented the Officials from discharging their duty and also prevented the Officials and the defacto complainant from conducting Bhoomi Pooja for constructing Government Arts College Ladies Hostel.

3.The learned counsel appearing for the petitioners submits that they are in possession of the property and they have already filed a civil suit in O.S.No.52 of 2022 as against the Government Officials seeking the relief of declaration and permanent injunction and the same is pending before the learned District Munsif, Pattukottai. Pending suit, in



Crl.O.P.(MD)No.12107 of 2025

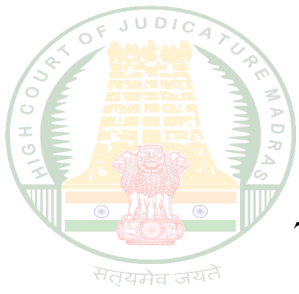
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order to evict the petitioner from the land, the respondents has foisted a false case as against the petitioner.

4.The learned Government Advocate(Crl.side) appearing for the first respondent Police submits that the civil suit relied on by the petitioners is not related to the subject land and it is with regard to the adjacent land. However, taking advantage of the suit, the petitioners prevented the Government Officials from discharging their duty.

5.This Court has considered the submissions made on either side and perused the available records.

6.Admittedly, the petitioners are not having any documents to substantiate that they are the owner of the land, where the respondents are intending to construct Ladies Hostel. The respondents claim that it is a Government Promboke land and the petitioners have encroached the same and also prevented the Government Officials. It is also reported that the suit, which was relied on by the petitioners, is not related to the subject property and it is for adjacent land.



CrI.O.P.(MD)No.12107 of 2025

WEB COPY

7. Moreover, the grounds raised by the petitioners can be appreciated only by the trial Court. Therefore, this Court is not inclined to entertain this petition. Accordingly, this criminal original petition is closed with liberty to the petitioners to raise all the grounds, which are all raised in this petition, before the trial Court. Consequently, connected miscellaneous petition is closed.

18.07.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
gns

To

1. The District Munsif and Judicial Magistrate, Peravurani
2. The Inspector of Police,
Peravurani Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD)No.12107 of 2025

B.PUGALENDHI,J

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CrI.O.P.(MD)No.12107 of 2025

18.07.2025