

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s).4288/2004

(From the judgement and order dated 30/07/2004 in CRLOP No. 38868/2003 of
The HIGH COURT OF MADRAS)

SELLAPPAN & ORS.

Petitioner(s)

VERSUS

R. NATARAJAN & ORS.

Respondent(s)

(With appln.(s) for stay and office report)

Date: 18/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner(s) Mr. K.K. Mani,Adv.

For Respondent(s) Mr. T. Harish Kumar,Adv.

UPON hearing counsel the Court made the following

O R D E R

Irrespective of the fact whether the High Court
overlooked the

aspect that the Petitioner No.1 herein was not a respondent before the Executive Magistrate under Section 145 proceedings, we are not inclined to interfere under Article 136 of the Constitution in view of the subsequent proceedings in the civil suit filed by the petitioner in which injunction was declined and the suit was dismissed. The appeal is said to be pending. Suffice it to observe that any observation made by the High Court in the impugned order will not influence the appellate court. Subject to the above observation, the special leave petition is dismissed.

(A.S. BISHT)

COURT MASTER

(PUSHAP LATA BHARDWAJ)

COURT MASTER