

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-8-2015

CORAM:

THE HON'BLE MR. JUSTICE P.N.PRAKASH

Criminal Original Petition No.6140 of 2014

Manikandan Vathan Chettiar

.. Petitioner

Vs.

State of Tamil Nadu
through Chief Secretary,
Fort St.George,
Chennai.

... Respondent

Criminal Original Petition filed under Section 482 of Code of Criminal Procedure with a prayer for constitution of an SIT headed by a sitting/retired Judge of the Supreme Court to probe all the judgments of the fake courts and the manner in which they were executed by the registration & Police departments and to ban the fake courts and other organisations which are running a parallel judiciary and parallel police force in Tamilnadu.

For Petitioner : Mr.Madhankumar
for Mr.Manikandan Vathan Chettiar

For Respondent : Mr.S.Shanmugavelayutham,
Public Prosecutor
assisted by
Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

At the request of the petitioner/learned counsel for the petitioner, this case was adjourned from 27.7.2015 to 28.7.2015, 6.8.2015, 17.8.2015, 24.8.2015 and 27.8.2015.

(i) On 6.8.2015 Mr.Manikandan Vathan Chettiar represented that he is going to make a representation to the Chief Justice that his cases shall not be posted before this Court, and on that ground he sought adjournment, and accordingly the case was adjourned to 17.8.2015.

(ii) On 17.8.2015 it was represented that the petitioner has given a letter to the Chief Justice for listing the cases before some other Court, and orders are awaited, and on that ground sought adjournment, and accordingly the case was adjourned to 24.8.2015.

(iii) Mr.Madhankumar, learned counsel appeared on behalf of the petitioner on 24.8.2015 and he sought adjournment on the same ground, and the case was again adjourned to 27.8.2015 (today) for orders, finally.

Thus, this Court gave enough time to the petitioner as prayed for, to obtain orders from the Chief Justice to take the matter out of board of this Court. But till date no such order was produced before this Court.

2. A perusal of the records shows that the Administrative Judge has directed to list this case before this Court. Hence the request of the petitioner/learned counsel for the petitioner for taking the case out of this Court is rejected.

3. This petition is filed by Manikandan Vathan Chettiar with the following prayer:

"Hence this plea for constitution of an SIT headed by a sitting/retired Judge of the Supreme Court to probe all the judgments of the Fake-Courts and the manner in which they were executed by the registration & police departments' and to ban the Fake-Courts & other organisations which are running a parallel judiciary & parallel police-force in Tamilnadu."

The petitioner has not given any specific instance of functioning of fake courts, but has only made a general allegation in his petition.

4. The State has filed a counter detailing the steps that have been taken against such fake courts in Tamilnadu. In the counter affidavit filed by the Police in paragraphs 6 and 7 it is stated that a fake court was found to be functioning in Coimbatore District and the police registered a case in Cr.No.1114 of 2013 and after completing the investigation, final report has also been filed in C.C.No.239 of 2013 before the Judicial Magistrate No.I, Coimbatore, against the accused, who were running the said fake court. In the said counter affidavit the State has also given details about the enquiries conducted in various districts of Tamilnadu. In paragraph 19 of the counter affidavit the State has given an undertaking that they will take appropriate action against fake courts, as and when specific instance come to their notice. Petitioner is at liberty to bring to the notice of the authorities concerned as and when he comes across fake courts functioning in the State with specific details,

and on such occasion, the concerned Police shall take appropriate action to bring the culprits to book.

With the above observations, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

vr

To

1. The Chief Secretary, Government of Tamilnadu,
Fort St.George, Chennai.

2. The Public Prosecutor, High Court, Chennai.

1 cc to Public Prosecutor, Sr.No.46159.

km(co)
pmk.11.9.2015

Crl.O.P.No.6140 of 2014



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