

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10727 of 2015

G.Sampath

.. Petitioner

- Vs -

1. The Chairman,  
National Commission for Scheduled Caste,  
5th Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi.
  2. The National Commission for SC/ST 2nd Floor,  
Block-V, Shastri Bhavan, Chennai - 600 006.
  3. The Superintendent of Police,  
Dharmapuri District.
  4. The Inspector of Police,  
B-1 Police Station,  
Dharmapuri District.
  5. The Principal and Sessions Judge,  
Dharmapuri, Dharmapuri District.
- .. Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 1 and 2 to appoint Special Public Prosecutor as per the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 Section 4(2) & 4(3) in Petitioner Case No.SC 56/2011 in 5th respondent Court.

Petitioner : Mr.M.Ravi

For Respondents 3 to 5: Mr.Digvijaya Pandian  
Additional Government Pleader

O R D E R

By consent, the writ petition is take up for final disposal.

2. The grievance expressed by the petitioner is that he gave a complaint to the District Superintendent of Police on 18.10.2010 and the 4th respondent registered F.I.R No.1783/2010 under Section

506(i) of I.P.C. r/w 3(i)(x) of the SC/ST Act, 1989. The case after investigation, has culminated in S.C.No.56/2011 and pending on the file of the learned Principal and Sessions Judge, Dharmapuri for trial. It is submitted by the petitioner that for want of Special Public Prosecutor, the trial could not be proceeded with. In this regard, the petitioner submitted a representation dated 31.03.2015, to the first respondent and marked copies to the respondents 2 to 4 and since he has not been favoured with any response, he has come forward with this writ petition.

3. Heard the submissions of Mr.M.Ravi, learned counsel appearing for the petitioner and Mr.Digvijaya Pandian, learned Additional Government Pleader accepts notice for the respondents 3 to 5.

4. This Court without going into the merits of the representation dated 31.03.2015, submitted by the petitioner, directs the third respondent to take appropriate steps for appointment of a Special Public Prosecutor to conduct the trial in respect of the offences arising out of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-  
Asst.Registrar

/true copy/

Sub Asst. Registrar

kk

To

1. The Chairman,  
National Commission for Scheduled Caste,  
5th Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi.
2. The National Commission for SC/ST 2nd Floor,  
Block-V, Shastri Bhavan, Chennai - 600 006.
3. The Superintendent of Police,  
Dharmapuri District.

4. The Inspector of Police,  
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Dharmapuri District.

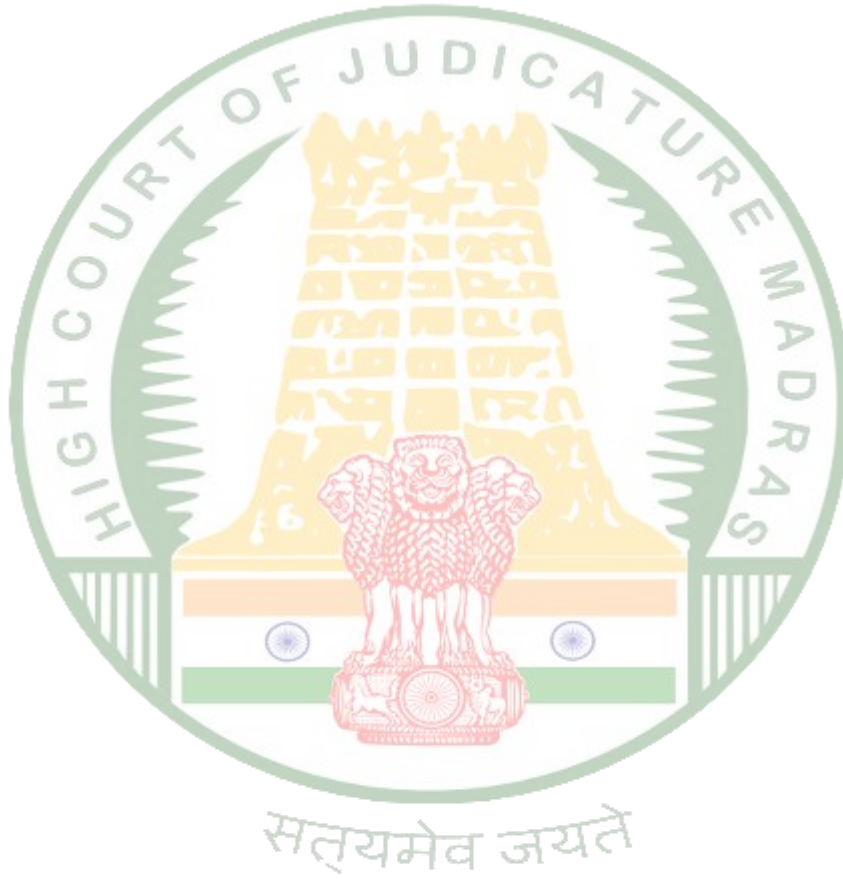
5. The Principal and Sessions Judge,  
Dharmapuri, Dharmapuri District.

1 cc to Mr.M. Ravi, Advocate, Sr. 20444

1 cc to Government Pleader, Sr. 21024

W.P.No.10727 of 2015

AG (CO)  
kk 21/4



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