

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2015

CORAM

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM
and
The Hon'ble Mr.JUSTICE G.CHOCKALINGAM

W.P.No.24821 of 2015
and
M.P.NoS.1 and 2 of 2015

R.Fathima

.. Petitioner-in person

-vs-

1.The Chairman,
Tamilnadu State Marketing Corporation
Limited (TASMAC),
CMDA Tower II, Floor 4,
Gandhi Irwin Bridge Road,
Egmore, Chennai-600 008.

2.The Chief Secretary,
Government of Tamilnadu,
Fort St. George,
Chennai-09.

3.The Secretary to Government,
Home Department,
Fort St. George,
Chennai-9.

4.The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai-3.

5.The Director,
Fire and Rescue Services,
No.12, Rukmani Lakshmipathi Road,
Egmore,
Chennai-600 008.

6.The Superintendent of Police,
Kanyakumari District,
Kanyakumari.

.. Respondents

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Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus direct the respondents to consider the representation sent by the petitioner dated 31.7.2015 and 03.8.2015 to the respondents and directing the respondents to take necessary action against the Government officials who committed offence under Section 166 A, 217 and 328 of IPC.

For Petitioner : Mrs.R.Fathima - Party in person

For Respondents: Mr.STS.Moorthy
Government Pleader

O R D E R

(Order of the Court was made by T.S.Sivagnanam, J.)

Mr.STS.Moorthy, learned Government Pleader accepts notice for the respondents.

2. Heard Mrs.R.Fathima, petitioner appearing in person and the learned Government Pleader for the respondents.

3. The petitioner seeks for a direction upon the respondents to consider her representations dated 31.07.2015 and 03.08.2015 respectively and to direct the respondents to take action against the Government Officials, who are allegedly committed the offence under various provisions of the Indian Penal Code.

4. The petitioner has stated about the incident where Thiru.Sasi Perumal had passed away while he was agitating on certain issues. The petitioner would further state that there are various other incidents where the police failed to prevent the persons who are agitating from taking extreme steps endangering their life and the officials are liable to be punished under the provisions of the Indian Penal Code.

5. The learned Government Pleader has submitted that the son of Thiru.Sasi Perumal, viz., Mr.Vivek has already filed a writ petition before this Court being W.P.No.23963 of 2015 for various reliefs, including taking action against the officials and the said writ petition is listed before the writ admission Court today and the respondents therein are also filing the counter-affidavit in the said petition.

6. After hearing the petitioner in person and upon perusal of the materials placed on record, this Court is of the view that the prayer sought for by the petitioner, cannot be acceded to for more than one reason. The petitioner is not a witness to the incident and even as per the cause title in the writ petition, she is at Chennai and further more, she did not witness the protest done by the students and the lathi charge or the other matters as alleged in the writ petition.

7. In such circumstances, this Court is not inclined to entertain the writ petition as Public Interest Litigation and the same is dismissed. No costs. Consequently, the miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Chairman,
Tamilnadu State Marketing
Corporation Limited (TASMAC),
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- 6.The Superintendent of Police,
Kanyakumari District,
Kanyakumari.

+ 1 cc to Government Pleader Sr.42600

CTK(CO)
Eu 27.08.15

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