

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.38897 of 2015

L.Raja

... Petitioner

vs.

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

2.The Secretary to Government,
Food and Consumer Protection
Department,
Fort St. George, Chennai-9.

3.The Director General of Police,
Chennai-4.

4.The Commissioner,
Vigilance and Anti Corruption,
Greenways Road, Adyar,
Chennai-28.

5.The District Collector,
Villupuram District,
Villupuram.

6.Kumar

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the first respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 25.11.2015 within a stipulated time as this Court fixes.

For Petitioner : Mr.C.Prakasam

For respondents : Mr.P.Sanjay Gandhi,
Addl. Govt. Pleader

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the first respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 25.11.2015.

2. It is the case of the petitioner that he is doing oil mill business at Koliyanur in Villupuram District for several years. The sixth respondent joined duty as Inspector of Police, CSCID, Cuddalore. Now, he is in charge of Villupuram CSCID. He is registering false case one after another against the petitioner and similarly placed persons, who are also doing oil business, that they are dealing with PDS rice. Only for statistical purpose and to satisfy the higher police officials, the sixth respondent is registering cases. On 21.11.2015, the sixth respondent sent his officials to the petitioner's mill and the officials of the sixth respondent had severely beaten the employees of the petitioner and asked the petitioner to come and meet him. When the petitioner refused to go along with them, immediately, they snatched the key of his motor cycle bearing registration No.TN 32 C 1597 and took away the motor cycle. They had also threatened the petitioner that he should meet the sixth respondent, otherwise, the petitioner would face severe consequences. But, the petitioner did not meet the sixth respondent. Hence, on the same day evening, the sixth respondent came and inspected his oil mill. Since he could not able to find out any illegal things, again he came to the petitioner's oil mill on 22.11.2015 at 10.00 a.m. along with the Sub Inspector and four Constables and attacked two lady workers and used filthy language against them. Further, they destroyed the entire godown and demolished the same. Again on 23.11.2015, the sixth respondent went to the oil mill of the petitioner and had taken away the machineries and cash to the tune of Rs.1,27,000/- without preparing any seizure mahazar. Now, the sixth respondent registered a false case as if the petitioner and his wife kept 200 kg. of PDS rice. Unable to tolerate the torture given by the sixth respondent, the petitioner sent a representation dated 25.11.2015 to respondents 1 to 5. But, till date, no action was taken. Hence, the present petition.

3. Today, when the matter was taken up for consideration, learned Additional Government Pleader submitted that the Directorate of Vigilance and Anti Corruption, Chennai, requested one Tr.S.Krishnamoorthy, the Inspector of Police, Vigilance and Anti Corruption, Villupuram, to register and conduct a preliminary enquiry on the complaint given by the petitioner as against the sixth respondent and one Balamurugan, and submit a report within a stipulated time.

4. In view of the said submission made by the learned Additional Government Pleader, without going into the merits of the claim made by the petitioner, this Court directs the fourth respondent to consider the representation of the petitioner dated 25.11.2015 by affording an opportunity of personal hearing to the petitioner and pass appropriate orders, on merits and in accordance with law, as early as possible. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar (CCC)

dt:08/01/2015

True Copy

Sub-Assitant Registrar

To

- 1.The Secretary to Government,
Home Department,
Fort St. George, Chennai-9.
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Food and Consumer Protection
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Chennai-4.
- 4.The Commissioner,
Vigilance and Anti Corruption,
Greenways Road, Adyar,
Chennai-28.
- 5.The District Collector,
Villupuram District,
Villupuram.

+1 cc to Mr.C.Prakasam Advocate sr.68118

W.P.No.38897 of 2015

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