

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18-02-2015

CORAM

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WRIT PETITION No.466 of 2015
and
M.P.No.1 of 2015

G.Kabilan

...Petitioner

vs

1. The Government of Tamil Nadu
Rep. By its Secretary
Home Department
Fort St. George, Chennai 9
2. The District Collector
Collectorate, Thiruvarur District
3. The Superintendent of Police
SP Office, Thiruvarur District
4. Ganapathy
Deputy Superintendent of Police
Muthupettai, Thiruvarur District
5. The Deputy Superintendent of Police
Muthupettai, Thiruvarur District
6. Vedharathinam
Sub Inspector of Police
Idaiyur Police Station
Thiruvarur District
7. The Inspector of Police
Idaiyur Police Station
Thiruvarur District
8. T.Karthikeyan
Revenue Inspector
Idaiyur, Thiruthuraipoondi Taluk
Thiruvarur District

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing (i) the respondents 2 and 3 to declare the Idaiyur and Sangenthi, Thiruthuraipoondi Taluk, Thiruvarur District to be an area prone to atrocities as contemplated under Section 17 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989; (ii) the first respondent to initiate departmental action against the fourth respondent as contemplated under Section 4 of the said Act read with Clause 81 of the PSO; (iii) the second respondent to initiate departmental proceedings against the eighth respondent as contemplated under Section 4 of the said Act read with Tamil Nadu CS (D & A) Rules and (iv) the third respondent to initiate departmental action against the sixth respondent as contemplated under Section 4 of the said Act read with Tamil Nadu Subordinate Police Service (D & A) Rules and PSO.

For Petitioner : Mr.P.Vijendran
For Respondents : Mr.V.R.Kamalanathan
Additional Government Pleader
for RR1 to 8

ORDER

(Order of the Court was made by THE HON'BLE CHIEF JUSTICE)

Learned Counsel for petitioner confines the relief to (i) at this stage and submits that the second and third respondents are liable to consider the issue of what is alleged to be repeated atrocities on the Scheduled Caste Community (which constitutes 50% of the population in the area) by the remaining 50% population of Kallar Community and to declare Idaiyur and Sangenthi, Thiruthuraipoondi Taluk, Thiruvarur District, to be areas prone to atrocities as contemplated under Section 17 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2.We call upon the second and third respondents to analyse all the information available with them and the one set out in the petition, and take appropriate preventive measures. In this process, on the plea referred to aforesaid under Section 17 of the said Act, a considered decision be taken within one month from the date of receipt of a copy of this order.

3.The writ petition accordingly, stands disposed of. No costs. Consequently, connected MP is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nsv

To:

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Rep. By its Secretary
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Idaiyur Police Station
Thiruvarur District
8. T.Karthikeyan
Revenue Inspector
Idaiyur, Thiruthuraipoondi Taluk
Thiruvarur District

1 CC to Mr.P.Vijendran, Advocate SR.No. 8967

NM(CO)
PSI (05.03.2015)

W.P.No.466 of 2015
and M.P.No.1 of 2015