

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.33152 of 2012

A.Narayanan

... Petitioner

-vs-

1. The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Chennai.
2. The Secretary to Government,
Law Department, Secretariat,
Chennai.
3. The Principal Secretary,
Department of Home, Prohibition
and Excise, Secretariat, Chennai.
4. The Union of India,
rep. by the Secretary to Govt.,
Ministry of Social Justice and Empowerment
Shastri Bhawan, Dr.Rajendra Prasad Road,
New Delhi.
5. The National Commission for Scheduled
Castes, rep. by its Chairman,
Lok Nayak Bhavan, Khan Market, New Delhi.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to forthwith establish Exclusive Special Courts under Section 14 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 and also Protection of Civil Rights Act 1955 along with adequate trained manpower such as Special Public Prosecutors, Exclusive Police Stations in the remaining 24 districts which are the

'Identified Areas' or 'Atrocity Prone Areas' designated by the Government of Tamilnadu in order to ensure speedy trial, justice and compensation to the victims.

For Petitioner : Mr.J.Saravanel

For Respondents : Mr.S.T.S.Moorthy,
Govt. Pleader for RR 1 to 3
: Mr.Su.Srinivasan,
Asst. Solicitor General for RR 4 and 5

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

On perusal of pleadings, what transpires is that Special Courts have already been constituted at Villupuram and Sivagangai Districts for exclusive trial of cases registered under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The stand of the State Government is that regarding constitution of Special Courts in other atrocity-prone Districts, vis-a-vis Cuddalore, Dharmapuri, Virudhunagar, Coimbatore, Namakkal, Salem and Krishnagiri and other Districts of Tamil Nadu, based on the institution and pendency of cases, the Registrar-General would send a proposal to the Government and the Government would pursue constitution of Special Courts on such recommendation being received.

2.In view of the aforesaid, it is agreed that keeping in mind the parameters, on the basis of which the two Special Courts have been established, the Registrar-General may obtain requisite information of pendency and disposal position qua the other atrocity-prone Districts and thereafter, make necessary recommendations, if the constitution of the Courts is so required as per those parameters. The Registrar General to take necessary action within a period of three (3) months from today and in case the recommendation is made, the State Government would take expeditious steps as is stated in para 3 of the affidavit.

3.Writ Petition, accordingly, stands closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Chief Secretary to Govt. of Tamil Nadu,
Secretariat, Chennai.
2. The Secretary to Government,
Law Department,
Secretariat, Chennai.
3. The Principal Secretary,
Department of Home,
Prohibition and Excise,
Secretariat, Chennai.
4. The Secretary to Govt., Union of India,
Ministry of Social Justice and Empowerment
Shastri Bhawan, Dr.Rajendra Prasad Road,
New Delhi.
5. The Chairman, National Commission for Scheduled
Castes, Lok Nayak Bhavan,
Khan Market, New Delhi.
6. The Section Officer,
'B' Section,
High Court, Madras.

Copy To

The Registrar General,
High Court, Madras.

+1cc to Mr.Su.Srinivasan, Advocate, S.R.No.28326
+1cc to Mr.J.Saravana Vel, Advocate, S.R.No.28067
+1cc to the Government Pleader, S.R.No.28232

LRS (CO)
CA(17/06/2015)

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