

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.24433 of 2012

Prisoners Rights Forum,
rep. by its Director P.Pugalenthir,
No.5, 4th Floor,
Sunkurama Street,
Chennai-600 001. .. Petitioner

Vs.

1.State of Tamil Nadu,
rep. by the Secretary to Government,
Home Department,
Secretariat,
Chennai-600 009.

2.The Additional Director General of Police
and Inspector General of Prisons,
Egmore, Chennai-600 008.

3.V.Karupppannan,
Superintendent of Prisons,
Central Prison II,
Puzhal, Chennai-600 066.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing respondents 1 and 2 to initiate criminal and departmental disciplinary proceedings against respondent No.3 as per G.O.No.1821 dated 28.11.2007, Public (Law and Order - E) Department.

For Petitioner : Mr.M.Radhakrishnan

For Respondents : Mr.STS.Moorthy

Government Pleader
assisted by

Mr.V.Shanmugasundar

Government Advocate for R1 & R2

Mr.Vijay Narayan

Senior Counsel

for Mr.R.Vivekanandan for R3

ORDER

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

The grievance raised by the petitioner is that G.O.No.1821, Public (Law and Order-E) Department, dated 28.11.2007 has not been followed in accordance with law against the prison officials concerned. The subsequent fact is that thereafter, a complaint was filed and the Chief Metropolitan Magistrate, Egmore, Chennai-8 has found that there is no material to proceed against the officers. This order has been passed on 30.06.2014 in CrI.M.P.No.4128 of 2014.

2. It is thus agreed that in a sense the present writ petition has become infructuous because what the petitioner would now have to do in order to succeed is to get the order passed aforesaid set aside in accordance with law. All pleas as may be admissible in law would be available to the petitioner along with any defence of the respondents in those proceedings.

3. The writ petition is accordingly closed. No costs.

Sd/
ASSISTANT REGISTRAR (CS-VI)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

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To

1.The Secretary to Government,
Home Department,
Secretariat,
Chennai-600 009.

2.The Additional Director General of Police
and Inspector General of Prisons,
Egmore, Chennai-600 008.

+1 CC to MR.R.Vivekanandan Advocate. SR.NO.68320
+1 CC to MR.M.Radhakrishnan Advocate. SR.NO. 68350
+1 CC to Govt.Pleader. SR.NO. 67740

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CO-VSN
JD 30/12/2015