

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE T.S. SIVAGNANAM

W.P.No.28522 of 2008

O.Homerlal ... Petitioner

vs.

- 1.The State of Tamil Nadu,
rep. by the Secretary to Government,
Home Department,
Fort St. George,
Chennai-600 009.
- 2.Y.John Nicholson,
Deputy Commissioner (L & O),
Salem City,
Salem District. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue Writ of Mandamus directing the 1st respondent to enquire into the complaint of the petition dated 17.7.2008, 28.8.2008 and 8.11.2008 against the 2nd respondent in accordance with law and to take necessary action against the later if the charges are found proved.

For Petitioner : Mr.R.Srinivas

For Respondents : Mr.V.Jayaprakash Narayanan
Spl. G.P. for R1

Mr.S.Thankasivan for R2

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ORDER

Heard Mr.R.Srinivas, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the 1st respondent and Mr.S.Thankasivan, learned counsel appearing for the 2nd respondent.

2. The petitioner seeks the following relief:-

"For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ of Mandamus or any other

writ, order or direction in the said nature,

directing the 1st respondent to enquire into the complaint of the petition dated 17.7.2008, 28.8.2008 and 8.11.2008 against the 2nd respondent in accordance with law and to take the necessary action against the later if the charges are found proved and pass such further or other orders as may deemed fit and proper in the circumstances of this case and thus render justice."

3. Counter-affidavit has been filed by the respondents. From the counter-affidavit, it is seen that the Director General of Police has conducted enquiry and passed an order in Rc.No.5241/G4 (2)/2009, dated 11.4.2010. Once again the matter was re-opened for fresh enquiry and the allegations were found to be false. Further, it is seen that the State has also closed the petition filed by the petitioner making similar allegations.

4. In the light of the subsequent development, no further orders are required in this writ petition and the writ petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bbr

To
The Secretary to Government,
Home Department,
Fort St. George,
Chennai-600 009.

1 cc to Mr.S.Thankasivan ,Advocate, SR.No.6223

1 cc to Government Pleader, Sr.No6660

rk(co)
pmk.25.2.2015

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