

In the High Court of Judicature at Madras

Dated: 12.10.2015

Coram:

The Hon'ble Mr.Justice M.Jaichandren

Writ Petition No.28746 of 2012

Veerapathiran

.. Petitioner

vs.

1.State, rep. by the
District Collector,
Coimbatore Dist.

2.The Commissioner of Police,
Coimbatore Dist.

3.The Inspector of Police,
Singanallur Police Station,
Coimbatore Dist.

.. Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the 1st respondent to consider the representation of the petitioner, dated 8.8.2012 and to hold an enquiry as per the Police Standing Orders, 151.

For petitioner : Mr.R.Sankarasubbu

For respondents : Mr.R.Ravichandran, AGP

O R D E R

Heard the learned counsels appearing on behalf of the parties concerned.

2. At this stage of the hearing of the Writ Petition, the learned counsel appearing on behalf of the respondents had brought to the notice of this Court, the statements made in the counter affidavit filed on behalf of the 3rd respondent, denying the allegations made by the petitioner, in his representation, dated 8.8.2012. Paragraph Nos.5 and 6 of the said counter affidavit, are extracted hereunder:-

"5.I submit that the averment that the police compelled the petitioner to point out any jewel shops is an utter falsehood. On 26.06.2012 at 00.1 hrs the petitioner Veerapathiran with one Sivasankaran was found in front of Roja Mess, Kamarajar Road in B-5 Singanallur Police Station limits in Coimbatore City taking precautions to conceal his presence and that there was reason to believe, that he was doing so with a view to committing cognizable offences. Hence, he was arrested by B-5 Singanallur Police and produced before the Executive Magistrate and he was bound over for good behavior by the Executive Magistrate u/s.109 Cr.P.C. The averment that Singanallur Police visited the house of the petitioner every day, interrogated him and subjected to third degree method, threatening him with dire consequences and compelled him to point out any jewel shop is denied as false and incorrect.

6. I submit that the averment of the petitioner in paragraph '6' that he gave a representation dated 05.08.2012 to the respondents is not correct. I have not received any such representation from the petitioner so far. But a copy of his representation dated 08.08.2012 to the Chairman, State Human Rights Commission, Chennai, was received by me for enquiry. After enquiry, I submitted my reply that the averments in that petition were false and they did not deserve any follow up action. Now the petitioner has filed the present Writ of Mandamus directing the respondents to hold an enquiry as per Police Standing Order 151 on the said representation of the petitioner dated 05.08.2012, which is not before respondents."

3. In view of the above statements made in the counter affidavit filed on behalf of the 3rd respondent, this Court does not find any cause or reason to direct the 1st respondent to consider the representation of the petitioner, dated 8.8.2012, and to pass orders thereon. As such, the Writ Petition stands dismissed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

gs.

To

1.State, rep. by the
District Collector,
Coimbatore Dist.

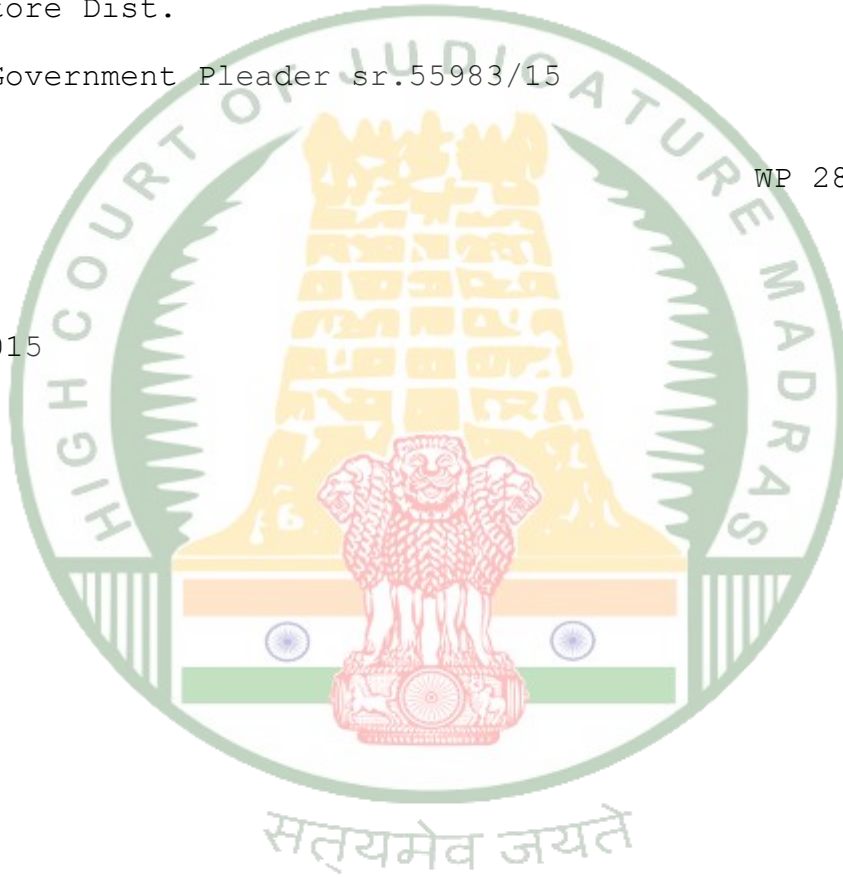
2.The Commissioner of Police,
Coimbatore Dist.

3.The Inspector of Police,
Singanallur Police Station,
Coimbatore Dist.

+1 cc to Government Pleader sr.55983/15

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