



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.(MD)No.1460 of 2014

and

M.P.(MD)No.1 of 2014

S. KANNAPPAN

.. Petitioner

Vs.

1. THE SUB INSPECTOR OF POLICE,
THIRUVONAM, THANJAVUR DISTRICT.

2. THE SUPERINTENDENT OF POLICE,
THANJAVUR.

3. MRS. SARAS,
SUB INSPECTOR, ALL WOMEN POLICE STATION,
THANJAVUR.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st Respondent to remove the Petitioner's name from the rowdy list displayed at the 1st respondent police station.

For Petitioner : Mr.R.Ramadurai
For Respondents : Mr.M.Murugan
Government Advocate

O R D E R

This writ petition has been filed for a Writ of Mandamus directing the 1st Respondent to remove the Petitioner's name from the rowdy list displayed at the 1st respondent police station.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

3.It is the case of the petitioner that he is the elected President of Panikondan Viduthi Village. During the year 2012, the third respondent herein was in charge of the first respondent police station, who used to foist false cases against the villagers with malafide intentions by using their power and the same was strongly objected by the petitioner, as a Panchayat President. Hence, the third respondent has foisted a false complaint against the petitioner in Crime No.1 of 2012 under Sections 341, 294 and 323 IPC and the same was taken on file by the learned Judicial Magistrate, Orathanadu and it was dismissed on 08.01.2013. Thereafter, an another case in Crime No.74 of 2012 under Sections 149, 352, 109 and 506(ii) IPC was filed against the petitioner, but no charge sheet has been filed till date.



4.It is the further case of the petitioner that on the basis of the above said case, the third respondent has included the name of the petitioner in the rowdy list without any valid and tenable reasons. The second respondent has also mechanically approved the list given by the third respondent. The petitioner is the elected people representative and there is no previous case against him. In such circumstances, the petitioner approached the firsts respondent police and enquire about the inclusion of his name in the rowdy list, but the first respondent failed to furnish any information. Hence, the petitioner had sent a representation dated 24.06.2013 under Right To Information Act, to the first respondent, but till date, there is no reply. The petitioner also sent another representation to the second respondent and other higher police officials on 28.06.2013 to remove the name of the petitioner from the rowdy list, but till date no action has been taken. Hence, the petitioner has come forward with this writ petition for the relief stated supra.

5.Considering the submissions made in the affidavit, without going into the merits of the matter, this Court directs the petitioner to give a fresh representation to the second respondent within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the matter.

6.The writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. THE SUB INSPECTOR OF POLICE,
THIRUVONAM, THANJAVUR DISTRICT.
2. THE SUPERINTENDENT OF POLICE,
THANJAVUR.
3. THE SUB INSPECTOR, ALL WOMEN POLICE STATION,
THANJAVUR.

+1cc to Mr.R.Ramadurai, Advocate SR.No.52049

W.P. (MD) No.1460 of 2014
04.09.2015

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NS/AN-MP/14.09.2015 : 2P/5C