



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2015

CORAM

THE HONOURBLE MR.JUSTICE B.RAJENDRAN

W.P (MD) .No.871 of 2013

and

M.P. (MD) No.1 of 2013

RAMACHANDRAN @ SUNDAR

.. Petitioner

Vs.

1. THE SUPERINTENDENT OF POLICE,
TIRUNELVELI DISTRICT, TIRUNELVELI.

2. THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to remove the petitioner's name from the Suspect and History Sheet Rowdy List in 305/2000 as maintained in the 2nd respondent police station.

For Petitioner : Mr.J.Parekhkumar

For Respondents : Mr.R.Karthikeyan

Additional Government Pleader

ORDER

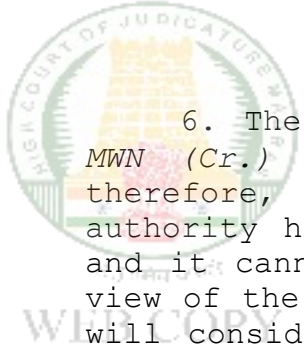
Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the second respondent.

2. The writ petition has been filed seeking to remove the petitioner's name from the history sheet list.

3. According to the petitioner, this is the only case here filed against him and it has already ended in acquittal even in the year 2009 but his name is continued in the history sheet list from the year 2009 without proper explanation as per the Police Standing Order 748. Therefore, the petitioner had made a representation dated 23.08.2012 to the authority concerned to remove his name. In spite of the representation dated 23.08.2012, his name has not been removed. Hence this writ petition.

4. The learned counsel for the petitioner, in support of his contention, relied on a Judgment of the Division Bench of this Court reported in 2010 (2) MWN (Cr.) 395 (DB) (SELVARAJ v. THE INSPECTOR OF POLICE, KALIAKAVILAI POLICE STATION).

5. On instruction, the learned Additional Government Pleader would submit that even in the year 2012, there were two complaints against the petitioner on 25.09.2012 and 26.09.2012 and therefore, he is a person, who has been under the watch list.



6. The Division Bench Judgment of this Court reported in 2010 (2) MWN (Cr.) 395 (cited supra) is applicable to the present case and therefore, if at all a person has to be kept as a history sheeter, the authority has to pass necessary orders and that will be for every year and it cannot be a mechanically extended one throughout. Therefore, in view of the Judgment of the Division Bench of this Court, the respondents will consider the representation of the petitioner dated 23.08.2012 and pass appropriate orders within one month.

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

Sd/-
Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To

1. THE SUPERINTENDENT OF POLICE,
TIRUNELVELI DISTRICT, TIRUNELVELI.
2. THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT.

+1cc to MR.J.PAREKHKUMAR, ADVOCATE IN SR : 2850
+1CC TO THE SPECIAL GOVERNMENT PLEADER, IN SR : 3006

Rj2
SR : 17.02.2015 : 2p/5c

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& MP (MD) No.1 of 2013
21.01.2015