

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.21150 of 2013 and
M.P.No.1 of 2013

and
W.P.No.18519 of 2013 and
M.P.Nos.1 to 6 of 2013

W.P.No.21150 of 2013:

T.Elango

... Petitioner

-vs-

1.The Union of India,
rep. by its Secretary,
Department of Home,
North Block, New Delhi-1.

2.The Home Secretary,
Secretariat,
Fort St. George,
Chennai-9.

3.The Director General of Police,
Tamil Nadu Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai-4.

4.The District Collector,
Dharmapuri District.

5.The Superintendent of Police,
Dharmapuri District.

6.The Deputy Superintendent of Police,
Harur,
Dharmapuri District.

.. Respondents

W.P.No.18519 of 2013:

S.Jimraj Milton,
Chennai Branch Secretary,
Human Rights Protection Centre - TN,
No.50/103, Armenian Street,
Parrys, Chennai-600 001.

.. Petitioner

-vs-

- 1.The Government of Tamil Nadu,
rep. by its Chief Secretary,
Secretariat, St. George Fort,
Chennai-9.
 - 2.The Social Welfare Department,
rep. by its Secretary to Government,
Secretariat, St. George Fort,
Chennai-9.
 - 3.The Government of Tamil Nadu,
rep. by its Home Secretary,
Secretariat, St. George Fort,
Chennai-9.
 - 4.The Director General of Police,
Beach Road, Chennai.
 - 5.The District Collector,
Dharmapuri District,
Dharmapuri.
 - 6.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
 - 7.The Central Bureau of Investigation,
Chennai.
 - 8.The State Human Rights Commission,
Chennai.
- .. Respondents

W.P.No.21150 of 2013 filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the second and third respondents to transfer the case in Crime No.96 of 2013 on the file of Railway Police, Dharmapuri, now investigating by the Special Investigating Officer, the Deputy Superintendent of Police, Harur, to the Special Investigating Team inclusive of a team of forensic expert constituting by this Hon'ble Court.

W.P.No.18519 of 2013 filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the State Government of Tamil Nadu to hand over the investigation to CBI into the death of E.Ilavarasan, S/o.P.Elango belonged to Natham Colony, Dharmapuri District died

on 04.07.2013 and the continuing caste duress being exercise against Divya, D/o.Nagaraj, Chellangottai, Dharmapuri District.

For Petitioner : Mr.R.Sankarasubbu
in W.P.21150/2013
No Appearance in
W.P.18519/2013

For Respondents : Mr.Su.Srinivasan
Asst. Solicitor General for
R1 in W.P.21150/2013 and
R7 in W.P.18519/2013
Mr.T.N.Rajagopalan
Spl. G.P. for R2 to R6 in
W.P.21150/2013 and R1 to R6
in W.P.18519/2013
Mr.K.s.Sri Giri Prasath for R8
in W.P.18519/2013

COMMON ORDER

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

In respect of an incident, we have passed orders in W.P.No.30531 of 2013, dated 19.07.2016 to look into all three aspects - Civil compensation which is almost taken care of, the Criminal proceedings and the Departmental proceedings.

2. The present case relates to the same incident and seeks a prayer for transfer of the investigation to the Special Investigation Team in view of the nature of the incident.

3. We are of the view that once we have the compliance qua the directions issued in that matter, this issue can be examined whether the Special Investigation Team may be necessary to carry out the investigation or not.

4. The writ petitions are disposed of in the aforesaid terms. No costs. Consequently, all connected miscellaneous petitions are closed.

5. List on 09.09.2016.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
Department of Home,
North Block, New Delhi-1.
- 2.The Home Secretary,
Secretariat, Fort St. George,
Chennai-9.
- 3.The Director General of Police,
Tamil Nadu Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai-4.
- 4.The District Collector,
Dharmapuri District.
- 5.The Superintendent of Police,
Dharmapuri District.
- 6.The Deputy Superintendent of Police,
Harur, Dharmapuri District.
- 7.The Chief Secretary,
Secretariat, St. George Fort,
Chennai-9.
- 8.The Secretary to Government,
Social Welfare Department,
Secretariat, St. George Fort,
Chennai-9.
- 9.The Central Bureau of Investigation,
Chennai.
- 10.The State Human Rights Commission,
Chennai.

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W.P.Nos.21150 & 18519 of 2013

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