

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.07.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.12175 of 2013

Pasumai India
represented by its Editor and
Publisher Mr.C.R.Tamilvanan,
No.34, Rajabather Street,
T.Nagar, Chennai 600 017. ... Petitioner

Versus

1. The Chief Secretary to
the Government of Tamil Nadu,
Fort St.George,
Madras 600 009.

2.The Principal Secretary
to Government,
Home Department,
Fort St.George,
Madras 600 009.

3.The Director General of Police,
Madras 600 004. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the respondents to constitute a separate Committee, consisting of (1) a retired Hon'ble Judge of the Madras High Court, (as the Chairman of the Committee); (2) a retired Commissioner of Police, Greater Chennai; and (3) a former Public Prosecutor, High Court, Madras as Members of the Committee, so far as the Districts of Madras City, Kancheepuram District, Madurai District, Coimbatore District and Tiruchirpalli District and constitute a separate Committee for each District in the State of Tamil Nadu, consisting of (1) a retired District Judge; (2) a retired Superintendent of Police; and (3) a former District public Prosecutor, as other Members of the Committee, so as to scrutinise all the complaints of 'land grabbing' as well as the other complaints which are referable to Central Crime Branch, District Crime Branch, including offences against women to issue

directions on such complaints to the concerned police authorities, either to register FIR on such complaints or to issue suitable directions as required, with reasonings, so as to avoid arbitrary and whimsical exercise of authority by the Investigating Officers/Station House Officers in the State of Tamil Nadu, with a view to avoid the victimised complainants to approach unnecessarily the court under Section 482, Cr.P.C for a direction to register FIR on their complaints.

For Petitioner ::: Mr. Shanmugam
for M/s. Shanmugha associates.

For Respondents ::: Mr. S. T. S. Murthi
Government Pleader
assisted by
Mr. V. Shanmugasundar
Government Advocate for R.1 to R.3

O R D E R

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

The petitioner has simply reproduced the Judgment in Prakash Singh and Others vs. Union of India and Others reported in (2006) 8 SCC -1) to seek its implementation. The issue of implementation of this Judgment, as far as we understand, is also pending before the Hon'ble Supreme Court. As to what is the position qua other States would also have to be examined.

2. We are of the view that this writ petition is devoid of details and we believe that the petitioner should carry out detailed research on the follow up of the Judgment and thereafter present the petitioner before us, also indicating as to what are the proceedings before the Hon'ble Supreme Court.

3. We thus close this writ petition with liberty to the petitioner to file a fresh petition in accordance with law. Parties to bear their own costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Chief Secretary to the Government of Tamil Nadu,
Fort St.George, Madras 600 009.

2.The Principal Secretary, to Government,
Home Department, Fort St.George, Madras 600 009.

3.The Director General of Police,
Madras 600 004.

+1cc to the Government pleader Sr.41578

+1cc to M/S.Shanmugha Associates, Advocate SR.41368

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NRJK[co]
srg 08/08/2016



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