



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Wednesday, the Ninth day of March Two Thousand and Sixteen

PRESENT

The Hon`ble Mr.Justice S.MANIKUMAR
and
The Hon`ble Mr.Justice C.T.SELVAM

CMP(MD) No.2349 of 2016
IN
WA(MD) No.SR10463 of 2016

O.RAJA,
S/O.OTTAKARA THEVAR

... PETITIONER/APPELLANT/3rd PARTY

Vs

1 N. SUBBURAJ,
S/O.NAGAN (LATE)

...RESPONDENT NO.1/RESPONDENT NO.1/PETITIONER.

2 THE DISTRICT COLLECTOR
DINDIGUL, DINDIGUL DISTRICT.

...RESPONDENT NO.2/RESPONDENT NO.2/
RESPONDENT NO.1.

3 THE SUPERINTENDENT OF POLICE
THENI DISTRICT, THENI.

...RESPONDENT NO.3/RESPONDENT NO.3/
RESPONDENT NO.2.

4 THE DEPUTY SUPERINTENDENT OF POLICE,
O/O. THE DEPUTY SUPERINTENDENT OF POLICE,
PERIYAKULAM TALUK, THENI DISTRICT.

...RESPONDENT NO.4/RESPONDENT NO.4/
RESPONDENT NO.3.

5 THE INSPECTOR OF POLICE
THENKARAI POLICE STATION,
PERIYAKULAM TALUK,
THENI DISTRICT.
(CRIME NO.571/2012)

...RESPONDENT NO.5/RESPONDENT NO.5
RESPONDENT NO.4.

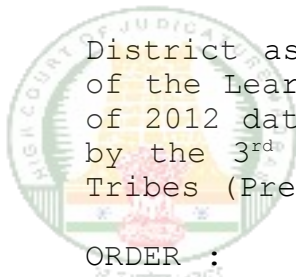
Civil Miscellaneous Petition filed U/S. 151 of CPC that in the circumstances stated therein and in the affidavit filed therewith. The High Court will be pleased to grant leave to file the above WP(MD)No.246 of 2016 against the order dated 19.02.2016 made in WP 246 of 2016 pending disposal of the above WA(MD)No.SR10463 of 2016.

Prayer in WA(MD)No:SR10463 of 2016:

Writ Appeal filed under Section 15 of the letters patent Act, to preferred against the order dt: 19/02/2016 passed in WP(MD)No. 246 of 2016

Prayer in WP (MD)No. 246 of 2016:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certioraraified Mandamus has been filed to call for records pertaining to the Impugned Order in S.No.246 of 2016 dated 19.12.2015 (signed on 22.12.2015) on the file of the Respondent No.1 and quash the same as illegal and direct the Respondent No.1 to appoint one Mr.B.Mohan, Advocate, Bhavani, Erode



District as Special Public Prosecutor in S.C.No.112 of 2015 on the file of the Learned District Principal Session Judge, Dindigul in Crime No.571 of 2012 dated 08.12.2012 registered by the 4th respondent and investigated by the 3rd respondent as per Rule 4(5) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Rules,1995.

ORDER : This Miscellaneous petition coming on for hearing on this day upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.GANDHI, Advocate for the petitioner the court made the following order:-

Mr.A.K.Baskarapandian, learned Special Government Pleader takes notice for respondents 1 to 7.

2. When the matter came up for hearing, Inspector of Police, Sivagangai Taluk Police Station, Sivagangai, was present in Court. On instructions, Mr.A.K.Baskarapandian, learned Special Government Pleader submitted that the members belonging to the rival communities have participated in " Kuladeiva Vazhipadu" in " Arul Migu Sri Servalingam Ayyanar Temple", at Esanoor Village, Nalukottai Post, Sivagangai Taluk, Sivagangai District, keeping communal harmony. He also submitted that a peace Committee Meeting is scheduled today, result of which, he would revert on the next hearing ie., on 14.03.2016.

3.Notice through Court and privately on respondent No.8, returnable by 14.03.2016. Learned counsel appearing for the petitioner is permitted to take private notice on respondent No.8.

4. Registry is directed to list the matter on 14.03.2016 along with connected WP(MD)Nos. 2726 and 3492 of 2015.

sd/-

Assistant Registrar(C.O.)

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DISTRICT COLLECTOR, DINDIGUL, DINDIGUL DISTRICT.
- 2 THE SUPERINTENDENT OF POLICE, THENI DISTRICT, THENI.
- 3 THE DEPUTY SUPERINTENDENT OF POLICE, O/O. THE DEPUTY SUPERINTENDENT OF POLICE, PERIYAKULAM TALUK, THENI DISTRICT.
- 4 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE INSPECTOR OF POLICE, THENKARAI POLICE STATION, PERIYAKULAM TALUK, THENI DISTRICT.

+1cc to Mr.R.Gandhi, Advocate SR.No.13256

ORDER DATE : 09/03/2016

ORDER

CMP(MD) No.2349 of 2016
IN

WA(MD) No.SR10463 of 2016

Giving directions etc., as
stated within.