

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.531 of 2017

K.Narasimman

[Petitioner]

Vs

1.The Home Secretary,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.

2.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

3.The Inspector of Police (L & O),
S-10, Pallikaranai Police Station,
Kancheepuram District.

[Respondents]

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the second respondent police to give suitable directions to the third respondent herein to remove the petitioner's name from the Rowdy List Record S-10/R/1/94.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.C.Emalias,

Additional Public Prosecutor

सत्यमेव जयते

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus to direct the second respondent police to give suitable directions to the third respondent herein to remove the petitioner's name from the Rowdy List Record S-10/R/1/94.

2.It is stated by the petitioner in the affidavit filed in support of this writ petition that he is now aged 54 years and when he was in teenage stage, he was working in National Greenlands Bank, Chennai-600 001 as a temporary worker / Office Assistant. At that time, his father was also an employee in the said Bank. After completion of temporary employment, he joined

the political party, viz. Dravida Munnetra Kazhagam and for the past 30 years he is an active member in the political party and he is now the Zone Representative of Circle No.190 of the said political party. During the year 1994, when he was actively involved in the political party, he was arrested under the City Police Act and under the Tamil Nadu Prohibition Act. In the year 1993, a case for the alleged offence under Section 75 of the City Police Act was registered against him in Crime No.272 of 1993 and in the same year, a case for the alleged offences under Section 4(1)(j) of the Tamil Nadu Prohibition Act and Section 75 of the Tamil Nadu City Police Act was registered in Crime No.1539 of 1993. While those cases were pending before the Judicial Magistrate, Alandur, his name was included in the History Sheet Record in S-10/R/1/94. Even though those cases ended in acquittal, his name was not removed from the History Sheet and he is even now frequently called by the third respondent under the pretext of enquiry. Hence this writ petition.

3.The learned counsel for the petitioner submitted that there are no cases registered or pending against the petitioner right from the year 1995. Further, he submitted that the petitioner became a decent member of the said political party and leading a quiet and peaceful life along with his family members. Stating so, the learned counsel for the petitioner submitted that there is no point in keeping the petitioner's name in the History Sheet and therefore, sought for a direction to remove the petitioner's name from the History Sheet. The learned counsel also submitted that the petitioner has made a representation dated 14.11.2016 in this connection and the same may be directed to be considered by the respondents within a stipulated time frame.

4.The learned Additional Public Prosecutor submitted that the representation made by the petitioner will be considered on its own merits and orders will be passed in accordance with law.

5.Recording the above submission made by the learned Additional Public Prosecutor, the second respondent police is directed to consider the representation of the petitioner dated 14.11.2016 which was made for removal of his name from the History Sheet, on merits and in accordance with law, and pass appropriate orders as expeditiously as possible, if there are no cases pending or registered against the petitioner.

6.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KM

To

- 1.The Home Secretary,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.
- 2.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.
- 3.The Inspector of Police (L & O),
S-10, Pallikaranai Police Station,
Kancheepuram District.

+1cc to Mr.K. Kannan, Advocate, S.R.No.3627

ks (CO)
md(07/02/2017)

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