

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2017

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.29512 of 2017

Fisherman Care Registered Association,
Rep. by President, L.T.A.Peter Rayan. .. Petitioner

-vs-

- 1.Union of India,
Rep. by the Secretary,
Ministry of Home Affairs,
Govt. of India, North Block,
New Delhi 110 001.
- 2.Union of India,
rep. by the Secretary,
Ministry of Defence,
South Block, New Delhi 110 001.
- 3.The Director General,
Coast Guard Headquarters National
Stadium Complex, New Delhi 110 001.
- 4.State of Tamil Nadu,
Rep. by its Chief Secretary,
Fort St. George, Chennai 600 009. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to constitute a Special Investigation team or any other independent agency for investigation and submit report before this Court regarding the attack of fishermen from Rameshwaram registered as Crime Number PS Cr No.31/17 at Mandapam Police station and consequently direct the 3rd respondent to provide adequate compensation to the victims.

For Petitioner : Mr.V.Raghavachari
for M/s.L.P.Maurya

For Respondents : Mr.V.Venkatesan
CGSC, for RR 1 to 3
: Mr.T.N.Rajagopalan
Govt. Pleader (In-charge) for R-4

O R D E R

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

In this writ petition, the petitioner has prayed for a writ of mandamus directing the Union of India to constitute a Special Investigation Team to investigate into the incident of alleged attack on fishermen from Rameshwaram registered as Crime No.31/2017 at Mandapam Police Station in Ramanathapuram District and to direct the third respondent to provide adequate compensation to the victims.

2.As noted above, an F.I.R. has already been registered and investigation in Crime Case No.31/2017 started by Mandapam Police Station, Ramanathapuram District. It is submitted by the learned Government Pleader (In-charge) that the State Government has also lodged a protest against the alleged attack. This has been also reported in the newspapers.

3.The investigation in the case being Cr.No.31/2017 is going to be carried out by the Tamil Nadu State Police, which is independent of the Indian Coast Guard. May be certain statements have been made by some officials of respondent nos.1 to 3. However, there is no reason to suppose that the investigating authority will be swayed by such statements and will not make an objective investigation.

4.However, considering the nature of the issues involved, we direct that the investigation should be supervised by an official of rank not below the Deputy Superintendent of Police.

5.The claim for compensation, if any lodged, may be decided by the appropriate authorities in accordance with law, upon completion of investigation in the aforesaid Crime No.31/2017.

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

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

sra

To

1.The Secretary
Ministry of Home Affairs,
Govt. of India, North Block,
New Delhi 110 001.

2.The Secretary,
Ministry of Defence,
South Block, New Delhi 110 001.

3.The Director General,
Coast Guard Headquarters National
Stadium Complex, New Delhi 110 001.

4.The Chief Secretary to Govt. of Tamil Nadu,
Fort St. George, Chennai 600 009.

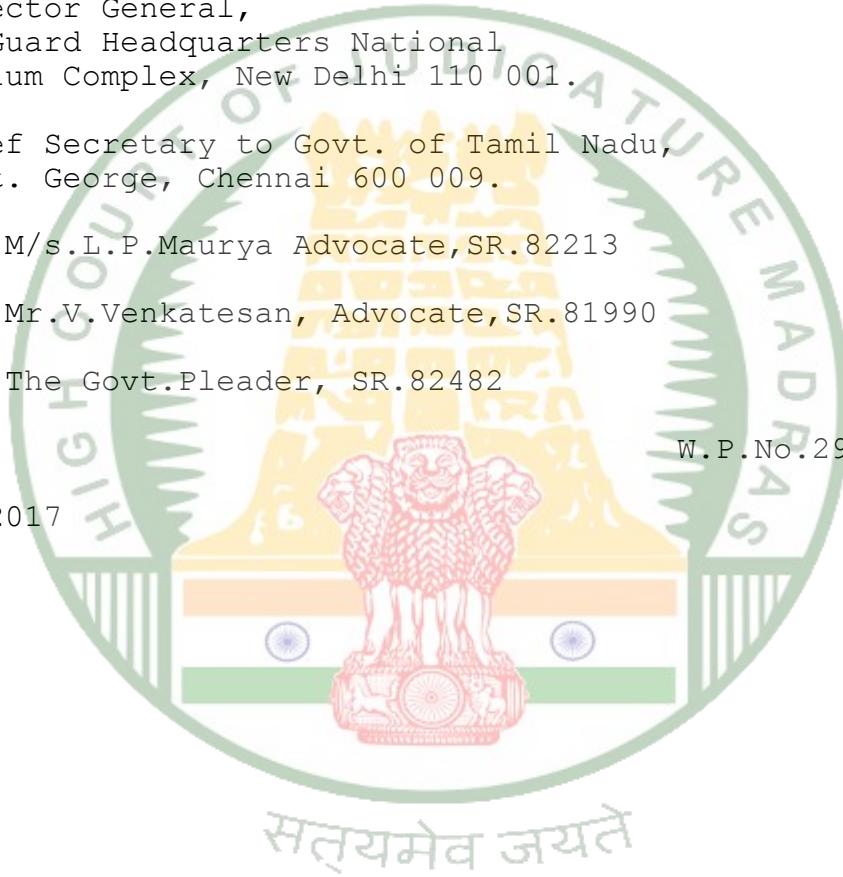
+ 1 cc to M/s.L.P.Maurya Advocate,SR.82213

+ 1 cc to Mr.V.Venkatesan, Advocate,SR.81990

+ 1 cc to The Govt.Pleader, SR.82482

W.P.No.29512 of 2017

NR 04/12/2017



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