IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2017

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 26230 of 2013
and
M.P. Nos. 1 & 2 of 2013

K. Varadha Rajan .. Petitioner

Vs.

1. The Government of Tamilnadu
rep. By its Secretary
Department of Home
Fort St. George
Chennai.

2. The Commissioner of Police
Greater Chennai Metropolitan
Police Commissioner Road
Egmore, Chennai.

3. The Superintendent of Police
Thiruvallur
Thiruvallur District.

4. The District Collector
District Collectorate
Thiruvallur.

5. The Inspector of Police
E-5, Redhills Police Station
Thiruvallur. .. Respondents

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents from passing orders against the son of the petitioner namely V. Sathish @ Sathish Kumar, Male, aged 23 years, Jothi Nagar, Paadiya Nallur, Thiruvallur District from detaining him under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Goondas, Immoral Traffic Offenders and Slum Grabbers Act, 1982 (Act 14/1982) and further to direct the 5th respondent remove the name of the petitioner's son V. Sathish @ Sathish Kumar, Male, aged

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23 years, Jothi Nagar, Paadiya Nallur, Thiruvallur District from the history sheet maintained by the 5th respondent under Police Standing Orders and pass such further orders.

For Petitioner : Mr. P.G. Thiyagu

For Respondents : Mr. S. Diwakar

Special Government Pleader

RR1 to 5

O R D E R

The petitioner has filed the present writ petition, forbearing the respondents from passing orders against his son, namely V. Sathish @ Sathish Kumar, Male, aged 23 years, Jothi Nagar, Paadiya Nallur, Thiruvallur District from detaining him under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Goondas, Immoral Traffic Offenders and Slum Grabbers Act, 1982 (Act 14/1982) and further to direct the 5th respondent remove the name of his son from the history sheet maintained by the 5th respondent under Police Standing Orders.

2. According to the petitioner, on the basis of foisted cases registered against the petitioner's son in Cr. No.68 of 2013 with Sholavaram Police Station, Thiruvallur District and in Cr. No.182 of 2013, 211 of 2013 and 615 of 2013 pending before the 5th respondent police, the 5th respondent intends to sponsor the name of the petitioner's son for detention under Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Goondas, Immoral Traffic Offenders and Slum Grabbers Act, 1982 (Act 14/1982).

3. Today, when the matter was taken up for final hearing, learned counsel for both the parties submitted, as far as the above said criminal cases, the petitioner's son has not been detained and hence the prayer sought for in this writ petition has become infructuous. With regard to the other prayer, to direct the 5th respondent to remove the name of his son from the history sheet maintained by the 5th respondent, in paragraph 5 of the counter affidavit filed by the 5th respondent, it is stated that the petitioner has approached this Court at a pre-mature stage and so the same cannot be considered. However, as on the date of filing of the counter affidavit, it is stated that the petitioner's son V. Sathish @ Sathish Kumar has not been included in the history sheet.

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4. In view of the said submission of the learned counsel for both the parties, the writ petition is dismissed. If any such order is passed by the respondents, it is always open to the petitioner to agitate before the appropriate forum. Consequently, the connected M.Ps are closed. No order as to costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1. The Secretary
   Government of Tamilnadu
   Department of Home
   Fort St. George
   Chennai.

2. The Commissioner of Police
   Greater Chennai Metropolitan
   Police Commissioner Road
   Egmore, Chennai.

3. The Superintendent of Police
   Thiruvallur
   Thiruvallur District.

4. The District Collector
   District Collectorate
   Thiruvallur.

5. The Inspector of Police
   E-5, Redhills Police Station
   Thiruvallur.

+1 cc to Govt.Pleader,sr.6953.

rr(co)
krd 3/4

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