

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.03.2017
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.43178 of 2016

A.Narayanan

.. Petitioner

Vs

1.The State represented by
The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai-600 007.

2.The Inspector of Police,
H-3 Thondiarpet Police Station,
Thondiarpet, Chennai-600 021.

3.The Inspector of Police,
Prohibition Enforcement Wing,
Thiruvettriur, Chennai.

4.The Regional Passport Officer,
Regional Passport Office,
Nos.2 and 3, IV Floor, Chennai Royala Towers,
Old No.785, New No.158, Anna Salai,
Chennai-600 002.

(R-4 impleaded as per order dated 27.01.2017
in W.M.P.No.1497/2017 in W.P.No.43178/2016).

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the respondents to issue a conduct certificate to the petitioner without insisting on the clearance certificate in respect of PEW Crime No.3609/96 on the file of the third respondent.

For Petitioner : Mr.M.Kannan

For Respondents: Mr.V.Balamurugan,
Government Advocate for R1 to R3

Mr.V.T.Balaji for R4

ORDER

This writ petition has been filed for issuance of a writ of Mandamus to direct the respondents to issue a conduct certificate to the petitioner without insisting on the clearance certificate in respect of PEW Crime No.3609/96 pending on the file of the third respondent.

2.It is the case of the petitioner that he is a social activist, politician and industrialist and he was not involved in any of the crimes. In the year 1993, due to business and political motive, criminal cases were foisted against him by the police authorities, but after full-fledged trial, he was acquitted of the charges. As on date, no criminal case is pending against him, which has also been confirmed by the certificate issued by the second respondent police on 30.06.2007. While so, for getting conduct certificate from the police authorities for his future career, he gave a representation to the Commissioner of Police, the first respondent herein to issue the same, but the first respondent has passed a non-speaking order stating that the petitioner was involved in a criminal case pending on the file of the second respondent police. Hence this writ petition.

3.The learned counsel for the petitioner as well as the learned Government Advocate appearing for respondents 1 to 3 have submitted before this Court that no criminal cases are pending against the petitioner.

4.In view of the above, to give a quietus to this issue, the third respondent police is directed to give necessary instructions to the fourth respondent, enabling the fourth respondent to pass appropriate orders in this regard. Such an exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

KM

To

1.The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai-600 007.

2.The Inspector of Police,
H-3 Thondiarpet Police Station,
Thondiarpet, Chennai-600 021.

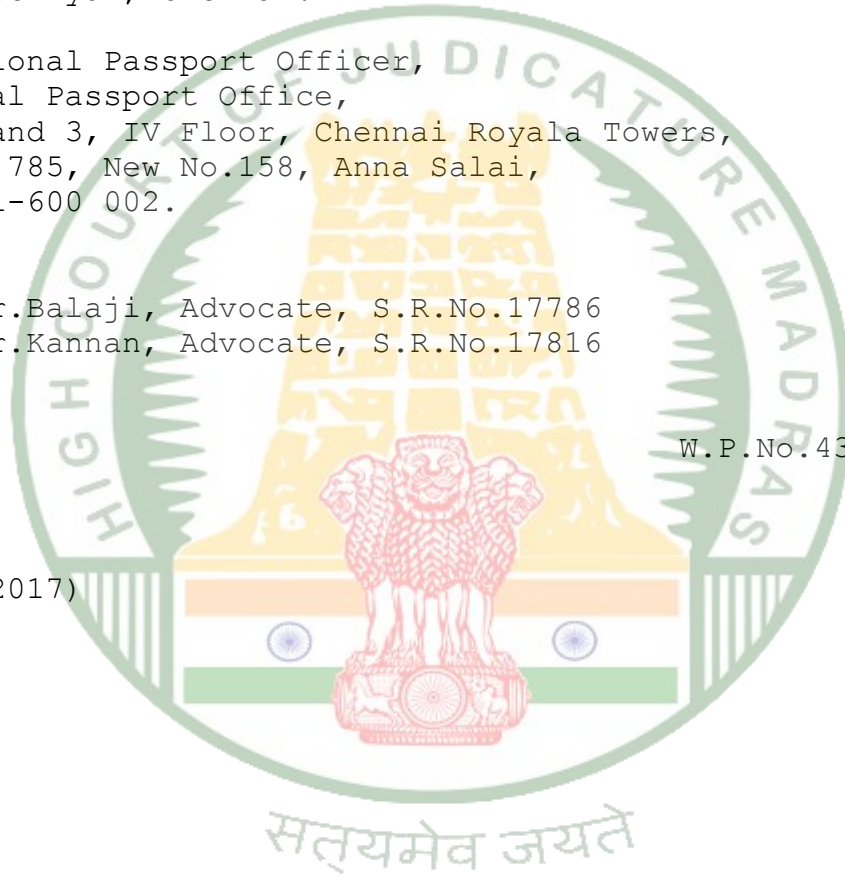
3.The Inspector of Police,
Prohibition Enforcement Wing,
Thiruvettriur, Chennai.

4.The Regional Passport Officer,
Regional Passport Office,
Nos.2 and 3, IV Floor, Chennai Royala Towers,
Old No.785, New No.158, Anna Salai,
Chennai-600 002.

+1cc to Mr.Balaji, Advocate, S.R.No.17786
+1cc to Mr.Kannan, Advocate, S.R.No.17816

W.P.No.43178 of 2016

SSI (CO)
RS (27/03/2017)



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