



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.16272 of 2017

Jenson Muthuraj

... Petitioner

Vs.

1. The Deputy Inspector General of Police,
Office of the Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.
2. The Superintendent of Police,
Kanyakumari District.
3. The Superintendent of Police,
Central Prison, Palayamkottai,
Tirunelveli District.
4. The Jailor,
District Prison,
Nagercoil, Kanyakumari District.
5. The Assistant Superintendent of Police,
Colachel Sub-Division,
Colachel,
Kanyakumari District.
6. The Joint Director & Head of Zone,
Central Bureau of Investigation,
3rd Floor, E.V.K.Sampath Building,
College Road,
Chennai-6

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to withdraw the enquiry based on the representation dated 16.12.2016 on the file of the 5th respondent and entrust the same to the 6th respondent and consequently direct the 6th respondent to complete the enquiry within a time stipulated fixed by this Court.



For Petitioner

: Mr.S.Karthick Subramanian

For Respondents

: Mr.T.S.Mohammed Mohideen
Additional Government Pleader

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O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The writ petitioner alleges that one Justin was murdered in custody and gave representations in that regard seeking investigation and enquiry.

2.According to the writ petitioner, the matter has to be investigated by C.B.I. At present, the fifth respondent is enquiring into the matter. Even though serious allegation made in the affidavit filed in support of the writ petition, it can be seen that the allegations are not based on the personal knowledge of the writ petitioner. The writ petitioner claims that he is the victim of human right abuse at the hands of certain police officials. In that regard, he had already initiated appropriate proceedings. As regards the alleged murdered of Justin, the writ petitioner has no personal knowledge. Based on the hearsay information, this court cannot give any direction as sought for by the writ petitioner. It is quiet possible for the writ petitioner, who has already alleged that the police officials wants to embarrassing further with this writ petitioner. It is also stated that the writ petitioner was preventively detained earlier.

3.Considering the antecedents of the writ petitioner and the fact that there is no credible material placed before this Court, we are not inclined to entertain this writ petition.

4.This writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Inspector General of Police,
Office of the Deputy Inspector General of Police,
Tirunelveli Range,



2. The Superintendent of Police,
Kanyakumari District.

3. The Superintendent of Police,
Central Prison, Palayamkottai,
Tirunelveli District.

4. The Jailor,
District Prison,
Nagercoil, Kanyakumari District.

5. The Assistant Superintendent of Police,
Colachel Sub-Division,
Colachel,
Kanyakumari District.

6. The Joint Director & Head of Zone,
Central Bureau of Investigation,
3rd Floor, E.V.K.Sampath Building,
College Road,
Chennai-6.

Rmi/psd

AE/SV MMS/SAR3/13.11.2017/3P/7C

ORDER MADE IN
W.P. (MD) No.16272 of 2017
30.08.2017