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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2017

CORAM :

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Writ Petition (MD) Nos.24819 to 24821 of 2016

In W.P. (MD) No.24819 of 2016:

S.Ahamed Haja

... Petitioner

Vs.

01.The Superintendent of Police,
Thanjavur District,
Thanjavur.

02.The Inspector of Police,
Athirampattinam Police Station,
Thanjavur.

...Respondents

In W.P. (MD) No.24820 of 2016:

Haja Nasrudeen

... Petitioner

Vs.

01.The Superintendent of Police,
Thanjavur District,
Thanjavur.

02.The Inspector of Police,
Athirampattinam Police Station,
Thanjavur.

...Respondents

In W.P. (MD) No.24821 of 2016:

Yahiya Khan

... Petitioner

Vs.



01.The Superintendent of Police,
Thanjavur District,
Thanjavur.

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02.The Inspector of Police,
Athirampattinam Police Station,
Thanjavur.

...Respondents

PRAYER: The Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to remove name of the petitioners from the Rowdy List displayed in the Notice Board by the second respondent police station in History Sheet Nos.576/13, 577/13 and 578/13 by considering representation of the petitioner dated 13.10.2016.

For Petitioners : Mr.V.Sasikumar

For R1 and R2 : Mr.T.S.Mohamed Mohideen
Additional Government Pleader

C O M M O N O R D E R

The writ petitions have been filed seeking issuance of writ of mandamus directing the respondents to remove the name of the petitioners from the Rowdy List displayed in the Notice Board by the second respondent police station in History Sheet Nos.576/13, 577/13 and 578/13 by considering representation of the petitioners dated 13.10.2016.

2. Heard the learned counsel for the petitioners and the learned Additional Government Pleader appearing for the respondents.

3. When the matters are taken up for hearing, the learned Additional Government Pleader has produced a list, mentioning the cases filed against the three petitioners.

4.It is mentioned that the following 9 cases have been registered against the petitioner in W.P.(MD) N.24819 of 2016:



Sl. No.	Petitioner's Name	H.S.No.	Involved in cases in Crime No.	Section of Law	Stage of the Case
	S.Ahamed Haja	576/13	1) 267/08	147, 148, 341, 294 (b), 324, 307, 506 (ii) IPC (A7)	U.I.
			2) 59/10	147, 148, 341, 294 (b), 323, 336 IPC (A1)	U.I.
			3) 138/12	147, 294 (b), 336 IPC (A1)	CC.52/13 U.I.
			4) 167/12	147, 148, 452, 324, 506 (ii) IPC r/w 3(i) P.D.L. Act (A1)	U.I.
			5) 244/12	147, 148, 294 (b), 324, 341, 506 (ii) IPC (A1)	PRC 51/13 Detained under Gooda 7/13 in TPDA 6585
			6) 06/13	147, 148, 294 (b), 324, 506 (ii) IPC r/w 3(i) of PDL Act (A1)	U.I.
			7) 96/13	147, 148, 294 (b), 324, 506 (ii) and 307 IPC (A1)	U.I.
			8) 116/13	147, 148, 294 (b), 324, 506 (ii) IPC r/w 3(i) of PDL Act (A2)	U.I.
			9) 154/15	294 (b), 352, 506 (ii) IPC r/w P.D.L. Act (A1)	U.I.



The following 4 cases have been registered against the petitioner in W.P. (MD) No.24820 of 2016:

Sl. No.	Petitioner's Name	H.S.No.	Involved in cases in Crime No.	Section of Law	Stage of the Case
1	Haja Nasaruddin	577/13	1) 138/2 2) 167/12 3) 244/12 4) 06/13	147, 294 (b), 336 IPC (A2) 147, 148, 452, 324, 506 (ii) IPC r/w 3 (i) PDL Act (A2) 147, 148, 294 (b) 324, 506 (ii) IPC r/w 3 (i) of P.D.L Act (A3) 147, 148, 294 (b), 324, 506 (ii) IPC r/w 3 (i) of P.D.L Act (A3)	CC 52/13 U.I. U.I Charged on 27.07.13 detained under Gooda 07/13 in TPDA 6585

The following 3 three cases have been registered against the petitioner in W.P. (MD) No.24821 of 2016:

Sl. No.	Petitioner's Name	H.S.No.	Involved in cases in Crime No.	Section of Law	Stage of the Case
1	Yahiya Khan	578/13	1) 138/12 2) 167/12 3) 244/12	147, 294 (b), 336 IPC (A3) 147, 148, 452, 324, 506 (ii) IPC r/w 3 (i) P.D.L. Act (A3) 147, 148, 294 (b) 324, 341, 506 (ii) IPC (A3)	CC 52/13 U.I U.I

Therefore, a direction as prayed for by the petitioners cannot be granted. However, liberty is given to the petitioners to give a fresh representation to the first respondent and on such representations are being given, the same shall be considered in the light of Police Standing Order 748 and appropriate orders shall be passed.



5. In the result, the writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

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/True copy/

Sub Assistant Registrar

To

01.The Superintendent of Police,
Thanjavur District,
Thanjavur.

02.The Inspector of Police, Athirampattinam Police Station,
Thanjavur.

03.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Special Government Pleader, Sr.No:18184

+3cc to Mr.V.Sasi kumar, Advocate, SR.No:18123,18124,18125

cm

AE/KP/SAR4/07.04.2017/5P/8C

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