



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P. (MD) No.24904 of 2016

Mariyappan @ Mariyappapandiyan : Petitioner

-Vs-

- 1.The Government of Tamil Nadu,
Represented by the
Home Secretary, Fort St. George,
Chennai-9.
- 2.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 3.The Deputy Superintendent of Police,
Tirunelveli Rural,
(Thalayuthu),
Tirunelveli District.
- 4.The Inspector of Police,
Manur Police Station,
Tirunelveli District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to conduct an enquiry in accordance with Section 748(1) of the Police Standing Orders after hearing the petitioner and remove the petitioner's name from the history sheet in H.S.No.783/2016 on the file of the fourth respondent by way of considering the petitioner's representation dated 16.12.2016.

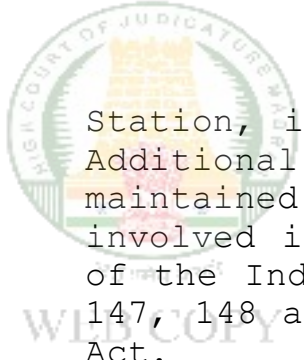
For Petitioner : Mr.R.Venkatesan
For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

O R D E R

This Writ Petition has been filed to remove the name of the petitioner from the history sheet that is maintained by the police under Police Standing Orders 748(1).

<https://hcservices.ecourts.gov.in/hcservices/>

2. When the matter was taken up for hearing, Mr.A.Sudalaimuthu, Special Sub-Inspector of Police, Manur Police



Station, is present in Court today. On instructions, the learned Additional Government Pleader submitted that the history sheet is maintained from 2016, as it was found that the petitioner was involved in Crime No.195 of 2013 under Sections 143, 341 and 188 of the Indian Penal Code and Crime No.439 of 2016 under Sections 147, 148 and 435 of the Indian Penal Code r/w Section 4 of TNPPDL Act.

3. The history sheet should have to be maintained for a period of two years and further retention can be done only after obtaining orders from the superior officers. However, it is seen that the petitioner has given a representation dated 16.12.2016 to the Deputy Superintendent of Police under Police Standing Orders 748(1). The Superintendent of Police has the power to order closure of history sheet at any time. Therefore, the Deputy Superintendent of Police is directed to forward the representation dated 16.12.2016 to the Superintendent of Police, Tirunelveli District, who may consider the same and pass orders, within a period of four weeks from the date of receipt of representation from the Office of the Deputy Superintendent of Police.

4. The Writ Petition stands disposed of in the above terms. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1.The Home Secretary, Government of Tamil Nadu,
Fort St. George, Chennai-9.

2.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

3.The Deputy Superintendent of Police,
Tirunelveli Rural, (Thalayuthu),
Tirunelveli District.

4.The Inspector of Police, Manur Police Station,
Tirunelveli District.

+1CC to M/S.R.Venkatesan, Advocate, SR.No. 16428

+1CC to the Special Government Pleader SR.No. 16219

Order made in
W.P. (MD) No.24904 of 2016

Dated: 20.03.2017