

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED :09.10.2018

CORAM  
THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

W.P.No. 25748 of 2014  
and  
M.P.No.1 of 2014

K.S.Sundaram @ Shanmugasundaram

...Petitioner

Vs.

1.The Secretary  
Home Department  
Fort St. George,  
Chennai.

2.The District Collector  
Coimbatore District,  
District Collector Office Campus,  
Coimbatore-18

3.The Thashildar,  
Coimbatore North Taluk Office,  
Dr.Balasundaram Salai,Coimbatore-18.

4.The Superintendent of Police  
Superintendent of Police Office,  
Hosure Road,Coimbatore-18

5.The Deputy Superintendent of Police  
Periyanaikanpalayam,Coimbatore.

6.The Inspectore of Police,  
Thudiyalur Police station,  
Coimbatore -29.

7.The Central Bureau of Investigation (CBI)  
Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 to 6 to transfer the investigation in Crime No.478 of 2014 on the file of the 6<sup>th</sup> respondent and transfer the same to the file of the 7<sup>th</sup> respondent or any other investigation agency at the discretion of this Hon'ble Court.

|                 |                                                   |
|-----------------|---------------------------------------------------|
| For Petitioner  | : No appearance                                   |
| For Respondents | : Mr.T.Shunmuga Rajeswaran<br>Government Advocate |

ORDER

This petition has been filed to issue a Writ of Mandamus directing the respondents 1 to 6 to transfer the investigation in Crime No.478 of 2014 on the file of the 6<sup>th</sup> respondent and transfer the same to the file of the 7<sup>th</sup> respondent or any other investigation agency.

2. The brief facts are as follows:

The petitioner is the grandfather of the deceased Ennian Ilamathicembian. The said deceased died on 27.07.2014 under suspicious circumstances. Hence, the deceased's mother has lodged a complaint before the second respondent and based on the same, a case was registered in Crime No.478 of 2014 under section 174 Cr.P.C.

3. The petitioner has made a representation on 26.02.2015 for exhuming the body of the deceased and conduct re-postmortem by a Team of Doctors. But the respondents have not considered the said representation and hence the petitioner has filed the present petition for the aforesaid relief.

4. The learned Government Advocate (Criminal side) has submitted that after investigation, further action was dropped on 24.12.2015 and to that effect, already, a report has been filed before the concerned Magistrate. He further submitted that the petitioner died on 28.06.2017 itself and hence nothing survives in this petition.

5. The learned counsel for the petitioner has submitted that he is not having any instructions.

6. Recording the submission made by the learned Government Advocate (criminal side) that already further action has been dropped in the above matter and to that effect report has already been filed on 24.12.2015 and also the fact that the petitioner already died on 28.06.2017 itself but, so far, no steps have been taken to implead the Legal Representatives, this petition is liable to be dismissed. In the result, this petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-  
Assistant Registrar(CS IV)

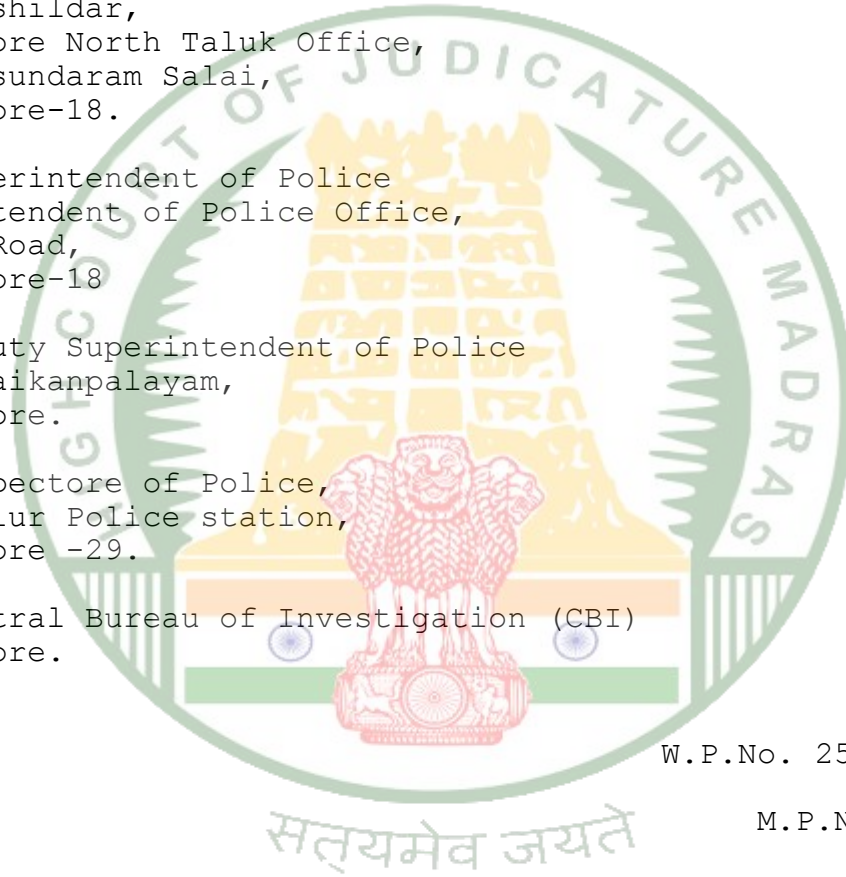
//True Copy//

Sub Assistant Registrar

vsn/dh

To

- 1.The Secretary  
Home Department  
Fort St. George,  
Chennai.
- 2.The District Collector  
Coimbatore District,  
District Collector Office Campus,  
Coimbatore-18
- 3.The Thashildar,  
Coimbatore North Taluk Office,  
Dr.Balasundaram Salai,  
Coimbatore-18.
- 4.The Superintendent of Police  
Superintendent of Police Office,  
Hosure Road,  
Coimbatore-18
- 5.The Deputy Superintendent of Police  
Periyanaikanpalayam,  
Coimbatore.
- 6.The Inspector of Police,  
Thudiyalur Police station,  
Coimbatore -29.
- 7.The Central Bureau of Investigation (CBI)  
Coimbatore.



W.P.No. 25748 of 2014  
and  
M.P.No.1 of 2014

RJ(CO)

rrs 01/11/2018

WEB COPY