

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.27124 of 2018

P.Pichandi

... Petitioner

Vs

1.The Additional Director General (SR)-I
CPWD, 1st Floor, G-Wing,
3rd Avenue, Rajaji Bhawan,
Besant Nagar,
Chennai - 600 090.

2.The Chief Engineer, SZ I
G-Wing, Third Floor,
Rajaji Bhavan, Besant Nagar,
Chennai - 600 090.

.... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the second respondent to provide a copy of CCTV footage of recordings on 05.09.2018 (covering the front portion of the building and entrance at Shastri Bhavan, Nungambakkam) with date and time, only images where my son Dr.Senthil Murugan's image appears, i.e., when Dr.Senthil Murugan alighted the vehicle (Innova) bearing No.TN22-CL 5630 in front of Shastri Bhavan and taken inside CBI office.

For Petitioner : M/s.K.Jayasudha

For Respondents : Mr.G.Karthikeyan,ASGI

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ORDER

Seeking a direction to the second respondent to furnish CCTV footage recordings of 05.09.2018 between 14.30 hours and 16.00 hours covering the front portion of the building and entrance at Shastri Bhavan, Nungambakkam, with regard to alighting of his son Dr.Senthil Murugan from his vehicle bearing Regn.No.TN22-CL-5630, the petitioner has come up with the

present writ petition.

2.It is the case of the petitioner that his son by name Dr.Senthil Murugan, was arrested by CBI on 05.09.2018, in connection with a case registered under Section 120(B) IPC and Sections 7, 8, 12 and 13(i)(d) of Prevention of Corruption Act, 1988 and was remanded to judicial custody. He filed a petition in CrI.MP.No.6103 of 2018 praying to enlarge him on bail, on the ground that he was arrested and was kept in custody for more than 24 hours by the Investigating Agency in violation of Article 22(2) of the Constitution of India, which was seriously refuted by the CBI by filing a counter affidavit. According to the petitioner, the CCTV footage as sought for from the second respondent is very much essential to prove the case of his son, so as to enlarge him on bail. Hence, this writ petition.

3.Today, when the matter is taken up for consideration, the learned Standing Counsel for the respondents produced a copy of the communication dated 29.10.2018 sent by the second respondent, wherein, it has been stated that the CCTV is installed at Shastri Bhawan and recording is done, however, storage of recording is limited due to space constraints.

4.In reply, the learned counsel for the petitioner submitted that the second respondent may be directed to furnish a copy of the CCTV footage of the particular date, with regard to alighting of his son from his vehicle, if available, to the petitioner forthwith.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the second respondent to consider the claim of the petitioner on merits and in accordance with law and take a decision one way or the other. Such an exercise shall be completed within a period of one week from the date of receipt of a copy of this order.

6.Accordingly, this writ petition stands disposed of.
No costs.

Sd/-
Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

rk

To

1.The Additional Director General (SR)-I
CPWD, 1st Floor, G-Wing,
3rd Avenue, Rajaji Bhawan,
Besant Nagar,
Chennai - 600 090.

2.The Chief Engineer, SZ I
G-Wing, Third Floor,
Rajaji Bhavan, Besant Nagar,
Chennai - 600 090.

+1cc to M/s.G.Karthikeyan, Advocate SR.No.74721

+1cc to M/s.K.Jayasudha, Advocate SR.No.74600

W.P.No.27124 of 2018

NRI (CO)

GMV (31/10/2018)



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