



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2018

CORAM:

THE HONOURABLE Mr. JUSTICE C.T.SELVAM

and

THE HONOURABLE Mr. JUSTICE A.M.BASHEER AHAMED

W.P. (MD) No.11964 of 2018

Selva Soundher

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Home Secretary,
Secretariat, Fort St. George,
Chennai.

2. The District Collector,
O/o.The District Collector,
Thoothukudi, Thoothukudi District.

3. The Superintendent of Police,
Thoothukudi District, Thoothukudi.

4. The Superintendent,
Central Prison, Palayamkottai,
Tirunelveli District.

5. The Dean,
Government Medical College Hospital,
Palayamkottai, Tirunelveli District.

6. The Inspector of Police,
Perumalpuram Police Station,
Palayamkottai, Tirunelveli District.

7. The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi, Thoothukudi District.

8. The Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi, Thoothukudi District.

... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the fifth respondent herein to conduct Re-Postmortem of the body of the petitioner's uncle named Bharath @ Bharath Raja through Two Senior Professors from the Forensic Department and in the presence of an Independent Expert Forensic Doctor from his side with full video coverage within the stipulated time as fixed by this Court.



For Petitioner : Mr.A.Thiruvadikumar

For Respondents : Mr.K.Chellapandian, AAG assisted by
Mr.R.Sethuraman, Spl.G.P.

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ORDER

(Order of the Court was made by C.T.SELVAM,J.)

This Writ petition seeks to conduct re-postmortem over the body of the petitioner's uncle by name, Bharath @ Bharath Raja.

2.We have heard learned counsel for petitioner as also learned Additional Advocate General.

3.Learned Additional Advocate General has also produced, for our viewing, a video clipping.

4.Though petitioner has sought to project the death of the deceased as connected to Tuticorin police firing incidents, wherein several persons lost their lives, we find that the deceased, a life convict, had been released on parole by the Central Prison, Palayamkottai authorities for 6 days on 17.05.2018. When he was on parole, he was arrested as being involved in case registered in Crime No.170 of 2018 on the file of Tuticorin Central Police Station for offences under Section 506(ii) and Section of 3 of TNPPDL Act. He has been remanded to judicial custody on 24.05.2018, placed at District Jail, Peraoorani and thereafter, transferred to the Central Prison, Palayamkottai on 25.05.2018. He has died on 30.05.2018.

5.The postmortem report dated 30.05.2018 informs that the deceased would appear to have died due to hanging. Such finding, which supports the video clipping, viewed by us. We find no merits in this Writ petition. Accordingly, this Writ petition shall stand dismissed. No costs.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar(CS-II)

To

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

2. The District Collector,
O/o.The District Collector,
<https://hcservices.ecourts.gov.in/hcservices/>
Thoothukudi, Thoothukudi District.



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

+1CC to Mr.A.Thiruvadikumar, Advocate, SR.No.69224
+1CC to the Special Government Pleader SR.No. 69422

W.P. (MD) No.11964 of 2018
21.06.2018

NBJ
ES/SKN/RSK/SAR 2/31.07.2018/3P/11C