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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :08.11.2018

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
W.P(MD)No.21874 of 2018

and

W.M.P. (MD)No.19805 of 2018

Ganesan

... Petitioner

-Vs-

1.The District Superintendent,
O/o.Superintendent of Police,
Virudhunagar District - 626 002.

2.The Deputy Superintendent of Police,
D.S.P.Office, Sivakasi,
Virudhunagar District.

3.The Inspector of Police,
Sivaksi East Police Station,
Virudhunagar District.

4.The Thasildar,
Taluk Office,
Sivakasi Taluk,
Virudhunagar District.

5.The Chief Medical Officer,
Government Head Quarter Hospital,
Virudhunagar,
Virudhunagar - 626 001.

... Respondents No.1 to 5

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondents Nos.1 to 4 to exhume the petitioner's son Rajkumar's body from the Kadamangalam Grave Yard situated at Thiruthangal Sivakasi taluk Virudhunagar district and direct the fifth Respondent to conduct post-mortem under the full video coverage within a stipulated time and consequently direct the Respondents No-1 to 3 to take appropriate action based on the Petitioners representation dated 22.10.2018.

For Petitioner

: Mr.R.Karunanidhi

For Respondent

: Mr. R.Anandharaj

Additional Public Prosecutor

ORDER

This petition has been filed seeking for a direction to the Respondents Nos.1 to 4, to exhume the body of the son of the petitioner namely Rajkumar from Kadamangalam Grave Yard situated at



Thiruthangal, Sivakasi Taluk, Virudhunagar District and further direction to the fifth Respondent to conduct post-mortem under full video coverage within a stipulated time and consequently direct the Respondents Nos.1 to 3 to take appropriate action based on the Petitioner's representation, dated 22.10.2018.

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2.This Court by an earlier order, dated 29.10.2018, after recording the submission of the learned Government Advocate that the police have registered an F.I.R in Crime No.1153 of 2018 and the police are in the course of investigation and that they have taken a decision to exhume the body had posted the matter today (08.11.2018).

3.The learned Additional Public Prosecutor would submit that based on the direction, the respondent police have also exhumed the body of the petitioner's son and the post-mortem has also been conducted and it has also been video-graphed. The direction of this Court has been complied with.

4.This Writ Petition is closed with a further direction to the respondent police to complete the investigation as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(RECORDS)

/True Copy/

Sub Assistant Registrar(CS-I)

To

- 1.The District Superintendent,
O/o.Superintendent of Police, Virudhunagar District - 626 002.
- 2.The Deputy Superintendent of Police,
D.S.P.Office, Sivakasi, Virudhunagar District.
- 3.The Inspector of Police,
Sivaksi East Police Station, Virudhunagar District.
- 4.The Thasildar,
Taluk Office,
Sivakasi Taluk, Virudhunagar District.
- 5.The Chief Medical Officer,
Government Head Quarter Hospital,
Virudhunagar, Virudhunagar - 626 001.

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