



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Eleventh day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP(MD) No.17243 of 2018
IN
WP(MD) No.14111 of 2011

1 V.MEGAVARNAM,

... PETITIONER

Vs

1 THE SECRETARY TO
GOVERNMENT HOME DEPARTMENT, FORT ST.GOERGE,
CHENNAI - 600009.

2 THE DIRECTOR GENERAL
OF POLICE, CHENNAI - 4.

3 THE ADDITIONAL DIRECTOR
GENERAL OF POLICE, C.B.C.I.D, CHENNAI.

4 THE INSPECTOR OF POLICE,
C.B.C.I.D, (O.C.U), TRICHY CITY , TRICHY.

5 THE CENTRAL BUREAU
OF INVESTIGATION, COLLAGE ROAD, NUNGAMBAKKAM,
CHENNAI - 36.

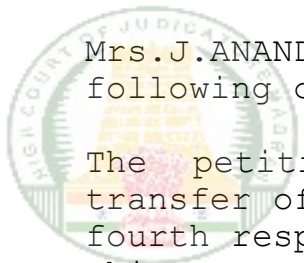
... RESPONDENT (S)

Prayer in WMP(MD). 17243/ 2018 :

Writ Miscellaneous Petition is filed under Article 226 of Constitution of India, praying this Hon'ble Court to expunge the observations made in the above writ petition in its order dated 02.07.2018

Prayer in WP(MD). 14111/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS, directing the Respondents 1 and 2 to transfer the investigation of the Criminal Case registered in Crime No.66 of 2006, which is now pending before the 4th Respondent to the 5th Respondent or any other specialized agency.



Mrs.J.ANANDHAVALLI, Advocate for the petitioner, this court made the following order:-

The petitioner herein filed W.P.(MD)No.14111 of 2011 seeking transfer of investigation in Crime No.66 of 2006 on the file of the fourth respondent herein. When the matter was taken up for hearing, this Court came to a categorical conclusion that there was a suppression of a material fact. Hence, choice was given to the petitioner herein, either to get along with the matter and take the consequences or to withdraw the writ petition itself.

2.It was made clear that this Court had taken a serious view with regard to the non-disclosure of the jail visit by the petitioner herein. There upon the petitioner made an endorsement that he may be permitted to withdraw the writ petition itself. Permission was granted and the writ petition was allowed to dismiss as withdrawn.

3.Since, the petitioner was found to be guilty of having suppressed a very material fact, a sum of Rs.1000/- was imposed as a fine on the petitioner. It was directed that the amount should be paid to the Chief Justice Relief Fund. Without complying with the said direction, this writ miscellaneous petition has been take out for expunging the observations made in the writ petition.

4.I am of the view that there is no need or necessity to expunge any of the observations made in the aforesaid order. However, it is made clear that the orders passed in the main writ petition or in this writ miscellaneous petition will not have any bearing whatsoever on the pending Criminal case. It is directed that these orders shall not even be referred to or looked into in the criminal proceedings.

Sd/-
Assistant Registrar(A.S)

/True Copy/

Sub Assistant Registrar(CS-II)

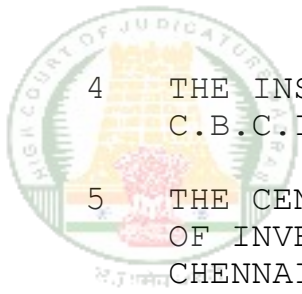
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To,

1 THE SECRETARY TO
GOVERNMENT HOME DEPARTMENT, FORT ST.GOERGE,
CHENNAI - 600009.

2 THE DIRECTOR GENERAL
OF POLICE, CHENNAI - 4.

<https://hcservices.courts.gov.in/hcservices/>
3 THE ADDITIONAL DIRECTOR
OF POLICE, C.B.C.I.D, CHENNAI.



4 THE INSPECTOR OF POLICE,
C.B.C.I.D, (O.C.U), TRICHY CITY , TRICHY.

5 THE CENTRAL BUREAU
OF INVESTIGATION, COLLAGE ROAD, NUNGAMBAKKAM,
CHENNAI - 36.

6 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to M/S.J.ANANDHAVALLI Advocate SR.No.90647

W.M.P.(MD).No.17243 of 2018
in
W.P.(MD).No.14111 of 2011

NM/SKN/SAR II/19.11.2018/3P/8C.