

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.02.2019
CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.3969 of 2019

I.Thenmozhi
W/o.Ilayaraja

.. Petitioner

Vs.

1.The District Collector,
O/o.District Collector,
Tiruvarur District.

2.The District Superintendent of Police,
O/o.The District Superintendent of Police,
Tiruvarur District. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus, directing the 1st respondent to dispose petitioner's representation dated 28.12.2018 and consequently issue direction to the 2nd respondent from passing any detention order to petitioner husband Ilayaraja, S/o.Thulasi under Goondas Act.

For Petitioner : Mr.D.Bharathy

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

O R D E R

The writ petition has been filed seeking direction to the 1st respondent to dispose the petitioner's representation dated 28.12.2018 and consequently issue direction to the 2nd respondent from passing any detention order to petitioner's husband Ilayaraja, S/o.Thulasi under Goondas Act.

2.The petitioner's husband viz., Ilayaraja is associated with Makkal Arasu Katchi and he is the Secretary of Tiruvarur District(North). He had conducted many demonstration in and around the area for various reasons. He has been arrested on several occasions and many criminal cases are pending against him. Whiles, a case in Crime No.568 o 2018 has been registered against the petitioner's husband under Arms Act and subsequently, he was arrested in a case in CSR.No.174 of 2018 for the offence under Section 457 and 380 of IPC. Now, the main grievance of the petitioner is that she suspects that the respondent police

will detain her husband under Goondas Act. Hence, she is before this Court with the aforesaid prayer.

3.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondents.

4.The learned Additional Public Prosecutor submitted that the petitioner's husband is not having clean record and he is an habitual offender. Several cases are pending against him.

5.It is seen from the representation dated 28.12.2018 that as against the husband of the petitioner, a case has been registered in Crime No.568 of 2018 and also a case in CSR.No.174 of 2018. Therefore, she has sent a representation to the 2nd respondent stating that several false cases have been foisted against her husband and also that she suspects the respondents will detain her husband under Goondas Act, in order to wreck vengeance against him.

6. This kind of representation cannot be considered by the respondent Police and this Court cannot issue any direction to the respondent Police as sought for by the petitioner. The writ petition is devoid of merits and hence, dismissed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
O/o.District Collector,
Tiruvarur District.

2.The District Superintendent of Police,
O/o.The District Superintendent of Police,
Tiruvarur District.

3.The Public Prosecutor
High Court, Madras.

+1cc to Mr.D.Bharathy, Advocate SR.No. 14002

W.P.No.3969 of 2019

A.SK(13/03/2019)