

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.4319 of 2019
and
W.M.P.No.4857 of 2019

K.Vijaya

.. Petitioner

Vs.

The Assistant Commissioner of Police,
Social Justice and Human Rights Cell,
Office of the Commissioner of Police Back Side,
Linemedu,
Salem-6.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondent in its Letter No.Nil, dated 02.01.2019 and quash the same and consequently forbear the respondent from conducting verification of the Community Status of the petitioner.

For petitioner : Mr.V.Vijay Shankar

For respondents : Mr.V.Shanmuga Sundar, Spl.G.P.

ORDER

(The Order of the Court was made by R.Subbiah, J)

The petitioner has filed the present Writ Petition praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondent in its Letter No.Nil, dated 02.01.2019 and quash the same and consequently forbear the respondent from conducting verification of the Community Status of the petitioner.

2. Heard both sides and perused the materials available on record.

3. The challenge in this Writ Petition is only a letter issued by the respondent directing the petitioner to appear for

the enquiry relating to verification of the genuineness of the Community Certificate and also directing the petitioner to produce documents as stated in the impugned letter. Such a letter has been issued to the petitioner in compliance of the principles of natural justice, so as to afford an opportunity of personal hearing to the petitioner to come forward with his defence, if any, to the order proposed to be passed by the respondent. Therefore, by virtue of the impugned letter, no final decision has yet been taken by the respondent, much to the chagrin of the petitioner. In such view of the matter, interference of this Court is not warranted at this stage. The Writ Petition is therefore pre-mature and this Court cannot delve into the matter at this stage. Hence, the Writ Petition cannot be entertained and it is liable to be dismissed. The petitioner shall co-operate in the enquiry proceedings initiated by the respondent through the impugned letter. If the petitioner fails to co-operate in the said enquiry proceedings, the respondent shall proceed with the enquiry based on the available documents, as stated by them in the impugned letter.

4. With the above observations, the Writ Petition is dismissed. No costs. Consequently, W.M.P. is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

CS

To

1.The Assistant Commissioner of Police,
Social Justice and Human Rights Cell,
Office of the Commissioner of Police Back Side,
Linemedu, Salem-6.

+1cc to Mr.V.Vijay Shankar, Advocate, S.R.No. 73997

W.P.No.4319 of 2019

VG II(CO)
GN(09/10/2019)