

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.1223 of 2019

A.Prasath @ Gubindren @ Gubi

... Petitioner

Vs.

1. The Home Secretary,
Government of Tamil Nadu,
Secretariat,
Chennai 600 009.

2. The Commissioner of Police,
Greater Chennai Corporation,
Vepery, Chennai 600 007.

3. The Deputy Commissioner of Police,
Adyar Range,
J-2, Adyar Police Station,
Chennai 600 020.

4. The Inspector of Police (L & O),
J-3, Guindy Police Station,
Guindy, Chennai 600 032.

.... Respondents

PRAYER: This Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd and 4th respondents to remove the petitioner's name from the Rowdy List Record H.S.No.21/R/J3/2016.

For Petitioner : Mr.K.Kannan

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

ORDER

This writ petition has filed for a direction to the fourth respondent to remove the name of the petitioner from the Rowdy List maintained by the fourth respondent in H.S.No.21/R/J3/2016.

2. It is the case of the petitioner that the fourth respondent registered an FIR in Cr.No.1001 of 2016 against the petitioner for an offence under Section 399 of IPC. Immediately, thereafter, history sheet was opened against the petitioner. There has been absolutely no progress in the investigation and the petitioner's name is unnecessarily retained in the history sheet for the last three years. The petitioner gave a representation to the respondent police on 26.11.2018 seeking to remove the name of the petitioner from the history sheet. In spite of the receipt of the representation, since no action has taken by the fourth respondent, the present writ petition has been filed before this Court.

3. The learned Additional Public Prosecutor appearing on behalf of the respondents submitted that the representation made by the petitioner will be considered in accordance with the Police Standing Orders and the guidelines given by this Court.

4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the fourth respondent to consider the representation made by the petitioner dated 26.11.2018, seeking for removal of name of the petitioner from the history list, in accordance with the PSO 746 & 747 and the guidelines given by this Court in the case reported in 2018 (4) MLJ (CRI) 585 Sabari @ Sabarigiri -vs- Assistant Commissioner of Police, Anna Nagar, L & O Range, Madurai City, Madurai and others and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dss

To

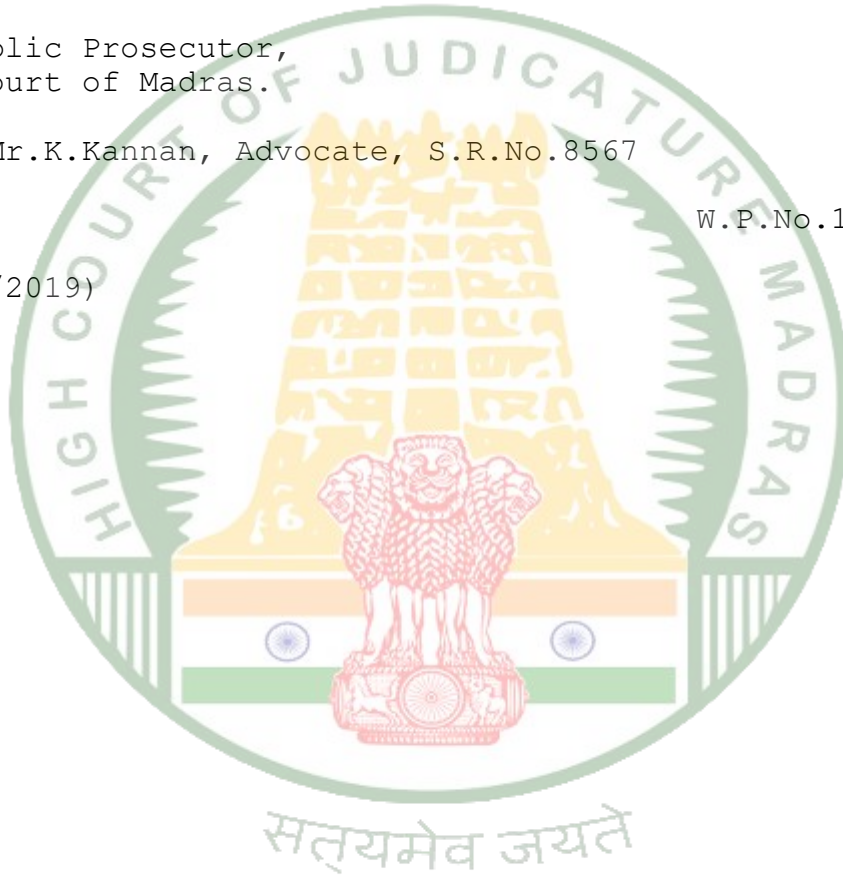
1.The Home Secretary,
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3. The Deputy Commissioner of Police,
Adyar Range,
J-2, Adyar Police Station,
Chennai 600 020.
4. The Inspector of Police (L & O),
J-3, Guindy Police Station,
Guindy, Chennai 600 032.
5. The Public Prosecutor,
High Court of Madras.

+1 cc to Mr.K.Kannan, Advocate, S.R.No.8567

W.P.No.1223 of 2019

RSI(CO)
SSM(22/02/2019)



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