

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.22822 of 2011

Prof.Dr.K.Panneerselvam

... Petitioner

Vs.

1. The Superintendent of Police,
Cuddalore, Tamil Nadu.
2. The District Collector,
Cuddalore, Tamil Nadu.
3. The Director General of Police,
Mylapore, Chennai-4.
4. The Secretary to the State of
Tamil Nadu,
Home Department,
Fort St George, Chennai.
5. The Director,
CBI, New Delhi.
6. The Secretary to the Union of India,
Union Home Ministry,
North Block, New Delhi.
7. The Secretary to the Union of India,
External Affairs Ministry,
South Block, New Delhi.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to direct the respondents to initiate proper inquiry and investigation into the mysterious death of the petitioner's son M.Vijaya Baskar Panneerselvam in pursuance to the petitioner's representation dated 20.07.2011.

For Petitioner : Dr.G.Krishnamurthi

For Respondents: Mr.R.Ravichandran, for R1 to R4
Government Advocate (Crl. Side)
Mr.K.Srinivasan, for R5
Spl. Public Prosecutor (CBI Cases)

Ms..Swarnalatha, for R6 and R7
Central Government Standing Counsel
Union of India

O R D E R

The Writ Petition has been filed by the petitioner under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to direct the respondents to initiate proper inquiry and investigation into the mysterious death of the petitioner's son M.Vijaya Baskar Panneerselvam in pursuance to the petitioner's representation dated 20.07.2011.

2.The case of the petitioner is that his son Vijaya Baskar Panneerselvam has joined 13 tri-semesters of integrated Bachelor of Science (B.S) in the organisation of St.Andrews int. Academy, N.M.Wadia Hospital Campus, 283, Shukrawar Peth, Pune on 10.09.2004 and 5 tri-semester study of MD course at abroad (Angles University Foundation, Pampanga Philippines) with an agreement fee of Rs.20,00,000/- (Rupees Twenty Lakhs only) towards David K.Pillai President of the organisation. The amount prescribed by them is not a fixed and it varies according to the situation. At that time of admission when the petitioner happened to meet Mr.Pillai the very first word he told was that "It is beyond your level mentioning about the community".

3.Thereafter, there was a problem with non payment of fees and then it was settled by paying the enough amount. Then as per the agreement they sent the petitioner's son to abroad on 29.10.2007 to the above mentioned institution for his further study. He continued his studies there for one year with his own expense.

4.Thereafter on 31.05.2011 at about 06.15 hours received a phone message from the room mate of the petitioner's son and the petitioner contacted the Organisation authorities and the agent Issac Baskar and they confirmed the death of the petitioner's son but failed to give proper information regarding the circumstances of his son's death. The body was received after conducting autopsy and buried on 14.06.2011. The Organisation has sent medical report, post mortem report, statement of the college administration where the petitioner's son studied and the passport with the box but not the police investigation report for the cause of the death and the action taken against the persons those were involved in this crime.

5. Thereafter, the petitioner made a representation to the respondents as well as other authorities on 20.07.2011 about the suspicious death of his son and to conduct proper enquiry and investigation to the said representation. The Director General of Police, the 3rd respondent forwarded the said representation to the Secretary to the Union of India, External Affairs Ministry, South Block, New Delhi, the 7th respondent herein for proper action. The 3rd respondent requested the 7th respondent to address the National Bureau of Investigation, Philippines for investigation on the point raised by the petitioner.

6. Though the learned counsel appearing for the petitioner would submit that a larger relief has been sought in the writ petition, it is suffice that the 7th respondent shall consider the representation forwarded to them by the 3rd respondent within a reasonable period.

7. The learned counsel appearing for the 7th respondent would submit that the representation sent by the petitioner has been forwarded to them by the 3rd respondent and the same will be disposed of within a period of three months.

8. In view of the above submissions, this Court is inclined to issue a direction to the 7th respondent to dispose of the representation forwarded by the 3rd respondent within a period of three months. Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To

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Cuddalore, Tamil Nadu.
2. The District Collector,
Cuddalore, Tamil Nadu.
3. The Director General of Police,
Mylapore, Chennai-4.

4. The Secretary to the State of
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CBI, New Delhi.
6. The Secretary to the Union of India,
Union Home Ministry,
North Block, New Delhi.
7. The Secretary to the Union of India,
External Affairs Ministry,
South Block, New Delhi.

+1cc to Mr.G.Krishnamurthi , Advocate SR.No. 8520
+1cc to Ms..Swarnalatha, Advocate SR.No. 8730

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A.SK(05/03/2019)



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