

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

WP.No.16084 of 2019

Nagarajan

...Petitioner

Versus

1.The State of Tamil Nadu,
Represented by its Secretary,
Home Department,
Fort St.George,
Chennnai - 600 009.

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The District Superintendent of Police,
Kancheepuram District,
Kancheepuram.

4.The Inspector of Police,
B-2, Chinna Kancheepuram,
Vishnu Kanchy Police Station,
Kancheepuram,
Kancheepuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the respondents 1 to 3 to consider the representation of the petitioner dated 06.06.2019 in accordance with law and direct the second respondent to hold an enquiry against the fourth respondent under Section 151 & 152 of Police Standing orders into the illegal arrest and torture of the petitioner on 04.06.2019 at about 7.30 p.m., to 10.30 p.m., and forceable seizure of a letter of undertaking that the petitioner would sell the property measuring about 6000 square feet in favour of Sarath Basha is totally illegal.

For Petitioner : Mr.R.Sankarasubbu

For Respondents: Mr.C.Iyyapparaj,
Additional Public Prosecutor

O R D E R

The limited prayer sought for in the present writ petition is to direct the second respondent to consider the petitioner's representation dated 06.06.2019.

2.The grievance of the petitioner is that there was an illegal arrest and torture of the petitioner by the fourth respondent herein and therefore, an enquiry should be held against the fourth respondent under Sections 151 and 152 of Police Standing orders.

3.The question as to whether there was any illegal arrest and torture and whether any enquiry would be required to be held has to be considered by the second respondent. This Court may not be justified in ordering for enquiry. Nevertheless, this Court is of the view that the respondents should be considered to consider the petitioner's representation dated 06.06.2019 and pass an appropriate orders to meet the ends of justice.

4.In such circumstances, there shall be a direction to the respondents to consider the petitioner's complaint dated 06.06.2019 on its own merits and take further course of action in accordance with law, as expeditiously as possible, in any event, within a period of six weeks from the date of receipt of a copy of this order.

5.With the above observations and direction, the Writ petition is disposed of accordingly. No costs.

klt

Sd/-

Assistant Registrar(CJ Conf.)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

1.The Secretary,
State of Tamil Nadu,
Home Department,
Fort St.George,
Chennnai - 600 009.

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The District Superintendent of Police,
Kancheepuram District,
Kancheepuram.

4.The Inspector of Police,
B-2, Chinna Kancheepuram,
Vishnu Kanchy Police Station,
Kancheepuram,
Kancheepuram District.

5.The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to Mr.R.Sankara Subbu, Advocate, SR.No.81113

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Kak(16/10/2019)



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