

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 29.03.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
W.P.No.674 of 2017

K.R.Selvaraj

...Petitioner

-Vs-

1. The Superintendent of Police,
Namakkal District.
 2. The Deputy Director,
Department of Geology and Mines Department,
Salem - 636 007.
 3. The District Forest Officer,
Namakkal District,
Near Namakkal Collectorate,
Nallipalayam Post, Namakkal District.
 4. The Inspector of Police,
Nallore Police,
Namakkal District.
 5. K.Subramani
 6. M.Malliga
 7. R.Kumar
- Respondents

...

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 4 to hand over the all the records relating to C.C.No.10 of 2000 on the file of the learned District Munsif Cum Judicial Magistrate, Paramathi to the 3rd respondent, further directing the 3rd respondent to take appropriate further steps by lodging a fresh complaint and proceed in accordance with law within a stipulate period of time as stipulated by this as fixed by this Court.

For Petitioner : M/sR.Ezhilarasan

For Respondents 1 - 4 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For Respondents 5 to 7: No Appearance

ORDER

This writ petition has been filed by the writ petitioner

seeking a direction directing the respondents 1 and 4 to hand over all the records relating to C.C.No.10 of 2000 on the file of the District Munsif Cum Judicial Magistrate, Paramathi to the 3rd respondent, further directing the 3rd respondent to take appropriate further steps by lodging a fresh complaint and proceed in accordance with law within a stipulate period of time as stipulated by this as fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the respondents 1-4 and perused the materials available on record.

3. It is seen that earlier this Court was ordered in CrI.O.P.No.21333 of 2006 in C.C.No.10 of 2000, by an order dated 10.10.2006, observing that the authorized person is at liberty to lodge a fresh complaint in this regard. On the basis of the same, the petitioner submitted a representation dated 14.09.2016 to the respondents 1 and 4 to hand over the entire files with regard to pertaining to C.C.No.10 of 2000, so that the third respondent can very well be initiated the appropriate proceedings as against the accused persons.

4. It is also seen that the order passed by this Court in CrI.O.P.No.21333 of 2006 in M.P.No.1 of 2006 by an order dated 10.10.2006 and after a period of ten years, the petitioner submitted his representation dated 14.06.2016. However, the petitioner is not a complainant. Therefore, the prayer sought for in this writ petition by the petitioner cannot be considered.

5. However, the third respondent/District Forest Officer is directed to approach the fourth respondent/Inspector of Police and receive all the records pertaining to C.C.No.10 of 2000 on the file of the learned District Munsif Cum Judicial Magistrate, Paramathi, and the petitioner is at liberty to approach the 4th respondent/Inspector of Police seeks appropriate relief in this regard.

6. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

msm

To

1. The Superintendent of Police,
Namakkal District.
 2. The Deputy Director,
Department of Geology and Mines Department,
Salem - 636 007.
 3. The District Forest Officer,
Namakkal District, Near Namakkal Collectorate,
Nallipalayam Post, Namakkal District.
 4. The Inspector of Police,
Nallore Police, Namakkal District.
 5. The Public Prosecutor, High Court, Madras.
- +1 cc to Mr.R.Ezhilarasan, Advocate, Sr.No. 30612

SSV(CO)
CSL/04.06.2019

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