



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 03.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K. ILANTHIRAIYAN

W.P (MD) No.17911 of 2019

Balasubramanian

..Petitioner

Vs.

1.The Director General of Police
Dr.Radhakrishnan Road
Mylapore
Chennai

2.The Commissioner of Police
Madurai District
Madurai

3.The Inspector of Police
Subramaniyapuram Police Station
Madurai District

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court, to issue a Writ of Mandamus, directing the respondents to remove the petitioner's name from the rowdy list maintained by the 3rd respondent and not to harass the petitioner by considering his representation dated 31.07.2019 within the period that may be stipulated by this Court.

For Petitioner : Mr.K.S.Durai Pandian

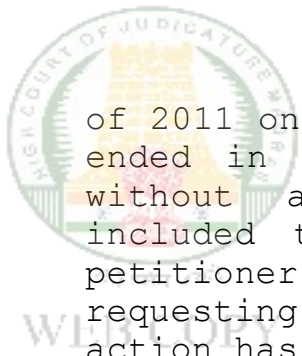
For Respondents : Mr.R.Anandharaj

Additional Public Prosecutor

ORDER

The prayer sought for in the writ petition is to direct the respondents to remove the petitioner's name from the rowdy list .

2. The learned counsel for the petitioner would submit that the petitioner is an agriculturalist. In the year 2011. there was a quarrel arose between the petitioner and the tenant. Hence, the tenant lodged a complaint against the petitioner. He further submitted that during enquiry the petitioner refused to budge to the demand of the third respondent, a false case was registered in Crime No.1384 of 2011 for the offence under Section 8(c) r/w 20(b) of the Criminal Procedure Code Act and the same was taken on file in C.C.No.184



of 2011 on the file of the Special Court, Madurai and the case was ended in acquittal. The learned counsel further submitted that without any subjective satisfaction, the respondent police included the petitioner's name in the rowdy list. Hence, the petitioner gave a representation to the respondents on 31.07.2019, requesting them to remove his name from the rowdy list. So far no action has been taken, hence the petitioner before this Court.

3.The learned Additional Public Prosecutor appearing for the respondents submitted that the petitioner is an habitual offender indulging in rowdy activities. Therefore, he prays to dismiss the writ petition.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on records.

5. It is seen that the petitioner has given a representation to the respondent police on 31.07.2019 and he has not given any representation to the Assistant Commissioner of Police, Madurai Town, Madurai. Therefore, considering the facts and circumstances of the case, the petitioner is at liberty to submit a fresh representation before the Assistant Commissioner of Police, Madurai Town, Madurai within a period of two weeks from the date of receipt of a copy of this Order. On receipt of such representation, the Assistant Commissioner of Police, Madurai Town, Madurai is directed to consider the said representation and pass orders, on merits and in accordance with law, within a period of four weeks from the date of representation of the petitioner.

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

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar(CS)

msa

To

1.The Director General of Police
Dr.Radhakrishnan Road
Mylapore
Chennai



2.The Commissioner of Police
Madurai District
Madurai

3.The Assistant Commissioner of Police
Madruai Town, Madurai

4.The Inspector of Police
Subramaniyapuram Police Station
Madurai District

5.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai

+1 cc to Mr.K.S.Durai Pandian , Advocate SR.No.85228

W.P(MD)No.17911 of 2019

03.09.2019

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