



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **26.08.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD)No.14888 of 2018

and

W.M.P. (MD)Nos.13438 and 13439 of 2018

WEB COPY

M.Ameer Jahan

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.the Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Manavalakurichy Circle,
Manavalakurichy Police Station,
Kanyakumari District.

... Respondents

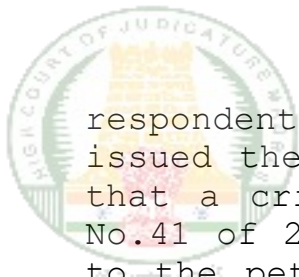
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned police verification certificate in G2/26104/2018 on the file of the second respondent dated 08.06.2018 and quash the same as illegal and consequently for a direction, directing the respondents to issue Police Clearance Certificate (PCC) to the petitioner without any negative remarks within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.K.Suyambulinga Bhrathi
Government Advocate

O R D E R

This Writ Petition has been filed challenging the police verification certificate in G2/26104/2018 on the file of the second respondent dated 08.06.2018 and consequentially to direct the respondents to issue Police Clearance Certificate (PCC) to the petitioner without any negative remarks.

2. According to the petitioner, he is a Graduate and he got job in Arshiba Shipping Services Private Limited Company. For joining in the said service, the said company has sought Police Clearance Certificate. Hence, the petitioner approached the



respondents seeking the certificate. The respondent police has issued the impugned Police Verification Certificate on the ground that a criminal case is pending against the petitioner in Crime No.41 of 2018 under Sections 143, 188 and 283 IPC. Now according to the petitioner, the said complaint has been enquired into and final report has also been filed as 'mistake of fact'. As of now no complaint is pending against the petitioner.

3. Today, the learned Government Advocate (Crl.Side) appearing for the respondents, on instructions, would submit that the criminal case against the petitioner has been enquired into and closed as 'mistake of fact' and as of now no complaint is pending. He would further submit that the FIR in respect of the co-accused is also quashed by this Court.

4. Considering the fact that the negative final report has been filed, the petitioner is directed to approach the second respondent and make necessary application to avail such certificate within a period of two weeks from the date receipt of a copy of this order. If any such application is filed, the second respondent is directed to consider the same and pass orders within a period of two weeks, thereafter. This Writ Petition is disposed of, accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Superintendent of Police,
O/o.the Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Manavalakurichy Circle,
Manavalakurichy Police Station,
Kanyakumari District.

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KM/ (30.09.2019) 2P 3C

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