



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2019

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD)No.22766 of 2019

Parthibarajan

... Petitioner

Vs.

1.The Inspector General of Police,
South Zone,
Natham Road, Madurai.

2.The Deputy Inspector General of Police,
Tirunelveli Range, Tirunelveli.

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

4.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

5.Mr.Ramakrishnan,
Sub Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

6.Mr.Thatchinamoorthi,
Head Constable,
Veeravanallur Police Station, Tirunelveli District.

7.Mr.Samuel,
Head Constable (Special Branch),
Veeravanallur Police Station,
Tirunelveli District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation dated 25.09.2019 within the stipulated time as fixed by this Court.

For Petitioner : Mr.C.Mayilvahana Rajendran

For Respondents : Mr.A.Aanandharaj
Additional Public Prosecutor



ORDER

This petition has been filed for a direction to direct the respondents 1 to 3 to consider the petitioner's representation dated 25.09.2019.

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2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned counsel for the petitioner would submit that the respondents 5 to 7 had given false information about the petitioner that he has threatened one Mrs. Shanthi. Thereafter, the respondents 5 to 7 questioned about the threaten and taken the petitioner to the fourth respondent. The fourth respondent foisted a false case against the petitioner based on the complaint given by said Mrs. Shanthi. Further, they also threatened the petitioner that they would encounter him. Thereafter, they opened a history sheet against the petitioner vide H.S.No.219/2008. Subsequently, the petitioner made a representation to the third respondent dated 02.01.2019 to remove his name from the history sheet. He also filed a writ petition before this Court in W.P.No.671 of 2019 for removing of his name in the history sheet and the same was ordered on 17.09.2019 and this Court directed the fourth respondent to consider the petitioner's representation. But, the fourth respondent did not take any action. Hence, he sought for allowing the writ petition.

4. The learned Additional Public Prosecutor would submit that the petitioner is a habitual offender and they involved in 33 cases. Some of the cases are ended in acquittal and other cases are pending for trial. While being so, only to escape from the clutches of those cases, this Writ Petition has been filed. Further, the accused made a allegation as against the police officials and simply sent a representation to the higher officials to take appropriate action as against the concerned police officials with false allegations.

5. Admittedly, the petitioner is attempted to escape form the clutches of crime committed by him. Hence, the Writ Petition cannot be entertained and the same has to be dismissed.

6. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)



- 1.The Inspector General of Police,
South Zone,
Natham Road, Madurai.
- 2.The Deputy Inspector General of Police,
Tirunelveli Range, Tirunelveli.
- 3.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 4.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
5. Sub Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
- 6.Head Constable,
Veeravanallur Police Station,
Tirunelveli District.
- 7.Head Constable (Special Branch),
Veeravanallur Police Station,
Tirunelveli District.

+1 CC to Mr.C. MAYIL VAHANA RAJENDRAN, Advocate (SR-99690[F] dated 20/11/2019)

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VB(06.12.2019) 3P 9C