



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.15728 of 2017

WEB COPY

A.V.Arul Singh

... Petitioner

vs.

1) The Superintendent of Police,
District Police Office,
Nagercoil,
Kanyakumari District.

2) The Additional Superintendent of Police,
O/o the Additional Superintendent of Police,
Thuckalay sub division,
Metturkadai,
Thuckalay Post,
Kanyakumari District.

3) The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus by directing the respondents 1 and 2 to make spot inspection as per the Rule 6(1) and 12(1), (2) of Scheduled Castes and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 (As amended in 2016) to assess the extent of atrocity and take necessary action on the basis of the petitioner's complaint dated 11.08.2017 within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.S.Chandrasekar,
Additional Public Prosecutor

O R D E R

This writ petition has been filed for a direction to the respondents 1 and 2 to make a spot inspection as per Rule 6(1) and 12(1), (2) of Scheduled Castes and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 (As amended in 2016) and assess the extent of atrocity and to take necessary action on the basis of the complaint given by the petitioner on 11.08.2017.

<https://hcservices.courts.gov.in/hcservices> This learned Additional Public Prosecutor, on instructions submitted that, based on the complaint given by the petitioner, the same was taken on file in C.S.R.No.42 of 2017. Summon was also



issued to the petitioner to appear for enquiry. Since the petitioner did not appear for the enquiry, the C.S.R. was closed.

3. The learned counsel for the petitioner submitted that the petitioner is willing to go for the enquiry but the respondent police is not conducting the spot inspection to assess the damage. The learned counsel for the petitioner submitted that the respondent police may be directed to reopen the enquiry and the petitioner is willing to cooperate for the same. The Assistant Superintendent of Police, Thuckalay sub division, Kanyakumari District, has also filed the status report before this Court.

4. Taking into consideration the facts and circumstances of the present case, there will be a direction to the 2nd respondent to call the parties for an enquiry and also to make a spot inspection and proceed further in accordance with law. Accordingly, the Writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1) The Superintendent of Police,
District Police Office,
Nagercoil,
Kanyakumari District.
- 2) The Additional Superintendent of Police,
O/o the Additional Superintendent of Police,
Thuckalay sub division,
Metturkadai,
Thuckalay Post,
Kanyakumari District.
- 3) The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District.

+1 CC to Mr.T. LAJAPATHI ROY, Advocate (SR-91674[F] dated 10/10/2019)

Order made in

W.P. (MD) .No.15728 of 2017

04.10.2019