

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(Criminal) No. 8252 of 2020

and

W.M.P. No. 9863 of 2020

P.Sundarraaj
Aged about 65 years
Son of Palayam
29/14, Selvavinayagar Koil Street
Perambur
Chennai - 600 011.

... Petitioner

Vs.

1. The Commissioner of Police
Office of the Commissioner of Police
E.V.K. Sampath Road
Vepery, Chennai - 600 007.
2. The Commissioner of Police
Office of the Commissioner of Police
Basheerbagh, Hyderabad - 28
Telangana State.
3. The Station House Officer
Otteri Police Station
Cooks Road, Puthuvazhama Nagar
Jamalia, Chennai - 600 012.
4. The Station House Officer
Malakpet Police Station
Hyderabad Police Commissionerate
Government Quarters
T.V.Tower, NH-9
Adjacent to Malakpet
Hyderabad, Telengana - 560 036.
5. The Department of Forensic Medicine
Represented by its Head
Government Kilpauk Medical College
Kilpauk, Chennai - 600 010.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the 1st and 3rd respondents to exhume the body of the petitioner's daughter Sharmila Santhosh from the TELC Burial Ground, Otteril, Chennai and to direct the 5th respondent to conduct a post mortem on the same.

For Petitioner : M/s.E.Aadith Vijay

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

The petition has been filed for a direction to direct the 1st and 3rd respondents to exhume the body of the petitioner's daughter Sharmila Santhosh from the TELC Burial Ground, Otteril, Chennai and to direct the 5th respondent to conduct a post mortem on the same.

2. This Court, by order dated 16.06.2020 already directed the third respondent to register the case and also conduct enquiry, and on enquiry if there is any prima facie material, the third respondent shall exhume the body of the victim.

3. Now, the learned Additional Public Prosecutor submitted that as directed by this Court, FIR has been registered vide FIR No. 589 of 2020 for the offences under Section 174 of Cr.P.C. and the investigation is pending.

4. The above submission is recorded. It is seen that the earlier order passed by this Court is partly complied with. Therefore, the third respondent is directed to duly comply with the order dated 16.06.2020 passed by this Court.

5. With the above direction, the Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

maya/lok

To

1. The Commissioner of Police
Office of the Commissioner of Police
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Vepery, Chennai - 600 007.

2. The Commissioner of Police
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5. The Department of Forensic Medicine
Represented by its Head
Government Kilpauk Medical College
Kilpauk, Chennai - 600 010.

6. The Public Prosecutor
High Court of Madras
Chennai.

W.P.(Criminal) No. 8252 of 2020

RLD(CO)
GMY(28/07/2020)

सत्यमेव जयते

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