

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 10335 of 2020

N.Pannerselvam

..Petitioner

vs

1. State of Tamilnadu
Rep. By the Chief Secretary,
Fort St.George,
Chennai - 600 009.
2. The Secretary to Government
Home Department,
Fort St.George,
Chennai - 600 009.
3. The Secretary to Government
Finance Department,
Fort St.George,
Chennai - 600 009.
4. The Secretary to Government
Adi Dravidar and Tribal Welfare Department,
Fort St.George,
Chennai - 600 009.
5. The Director General of Police,
O/o.the Director General of Police,
Mylapore, Chennai - 600 004.

..Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents herein to regularly convene the State-Level Vigilance and Monitoring Committee Meeting under Rule 16(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 based on the petitioner's representation sent on 23.06.2020 and on the basis of the decision made in National Campaign on Dalit Human Rights vs. Union of India [2017 (1) SCC (Cri) 734].

For Petitioner

.. Mr.S.Kumara Devan

For Respondents .. Mr.P.H.Arvinth Pandian,
Addl.Advocate General
assisted by
Mr.G.K.Muthukumar,
Spl. Government Pleader

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The grievance of the petitioner is with respect to the constitution of the Committee and thereafter to convene the meeting regularly as adumbrated under Rule 16(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

2. Heard Mr.S.Kumara Devan, learned counsel appearing for the petitioner and Mr.P.H.Arvinth Pandian, learned Additional Advocate General appearing for the respondents.

3. Learned Additional Advocate General appearing for the respondents submitted that as per Rule 16 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Rules, 1995, the State Level High Power Vigilance and Monitoring Committee has been re-constituted in the year 2019 - 23.09.2019 and the meeting was conducted on 08.09.2020. Though there was a substantial gap, the mandate of the Act and the Rules is being followed.

4. From the affidavit filed, we could observe that Rule 16 (1) has been complied with but not Rule 16(2). As per Rule 16 (2), the Committee shall have periodical meeting at least twice in a year and such meeting has to be conducted preferably in the month of January and July to review the implementation of the Act, the relief and rehabilitation facilities provided to the victims apart from the other matters dealt with thereunder.

5. In such view of the matter, the respondents are hereby directed to comply with Rule 16(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 strictly in letter and spirit by convening periodical meetings in every calendar year in the month of January and July henceforth.

6. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Chief Secretary,
Fort St.George, Chennai - 600 009.
 2. The Secretary to Government
Home Department, Fort St.George,
Chennai - 600 009.
 3. The Secretary to Government
Finance Department,
Fort St.George, Chennai - 600 009.
 4. The Secretary to Government
Adi Dravidar and Tribal Welfare Department,
Fort St.George, Chennai - 600 009.
 5. The Director General of Police,
O/o.the Director General of Police,
Mylapore, Chennai - 600 004
- +1cc to Mr.S.Kumara Devan, Advocate in Sr.31665

W.P.No. 10335 of 2020

PVS (CO)
RV(13/10/2020)



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