

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2020

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

W.P.No.18624 of 2020

V.Janarthanan,
S/o, Viswanathan,
No.16, College Road,
Pazhavanthangal,
Chennai - 600 114.

...Petitioner

-Vs-

1. The Deputy Commissioner of Police,
St.Thomas Mount Range,
Chennai - 600 016.
2. The Assistant Commissioner of Police,
St.Thomas Mount Range,
Chennai - 600 016.
3. The Inspector of Police,
S-9, Pazhavanthangal Police Station,
Chennai - 600 061.

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other appropriate Writ, order, direction in the nature of writ, directing the respondents to remove the petitioner's name from the History Sheet Rowdy S.No.1392/2006 on the file of the 3rd respondent viz., The Inspector of Police, S-9, Pazhavanthangal Station, Chennai.

For Petitioner : Mr.G.Arun

For Respondents: Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

The Writ Petition has been laid by the petitioner to issue a Writ of Mandamus, seeking for a direction to the respondents to remove his name from the history sheet rowdy S.No.1392/2006

on the file of the third respondent police station.

2. According to the petitioner, a false case has been foisted against him in the year 2006 in Crime No.1235 of 2006 on the file of the Thiru.Vi.Ka.Nagar police station and after the conclusion of the trial conducted in the abovesaid crime number in S.C.28 of 2007 on the file of the IV Fast Track Sessions Court, Chennai, he had been acquitted by way of the judgment dated 31.10.2007 and during the year 2013, another false case has been foisted against him in Crime No.282 of 2013 on the file of the third respondent and after conclusion of the trial with reference to the abovesaid crime number, he had been acquitted by the Judicial Magistrate, Alandur on 24.10.2015 and apart from the abovesaid two cases, no other case is pending against him and he has applied for passport and the police on verification, returned the same on the footing that the criminal proceedings are pending against him and history sheet rowdy S.No.1392/2006 has been opened against him. Further according to the petitioner, due to the abovesaid opening of history sheet, he has been unnecessarily proceeded under section 110 Crpc without any basis and the same has caused mental agony and hence seeking for the removal of his name from the history sheet, he has sent a representation dated 16.10.2020 and the same has been kept pending without any progress and hence left with no other alternative, he has been necessitated to lay the present writ petition.

3. At the time when the writ petition is taken up for hearing, it is represented by the Additional Public Prosecutor that a suitable direction may be given to the first respondent ie.,The Deputy Commissioner of Police, St.Thomas Mount Range, Chennai, to consider the representation given by the petitioner dated 16.10.2020 and dispose of the same within a stipulated period and the same would satisfy the ends of justice. Only for the said relief, as above noted, the petitioner has also preferred the writ petition.

4. Considering the abovesaid factors, in toto, if a suitable direction given to the first respondent ie.,The Deputy Commissioner of Police, St.Thomas Mount Range, Chennai, to consider and dispose of the representation given by the petitioner dated 16.10.2020 as per law, in my considered opinion, the same would meet the ends of justice.

5. In the light of the abovesaid factors, the first respondent The Deputy Commissioner of Police, St.Thomas Mount Range, Chennai, is directed to consider and dispose of the representation given by the petitioner dated 16.10.2020 seeking for the deletion of his name from the history sheet rowdy list S.No.1392/2006 maintained in the third respondent police station

within a period of four weeks from the date of receipt of a copy of this order in accordance with law.

6. Accordingly, the Writ Petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Mfa

To

1. The Deputy Commissioner of Police,
St.Thomas Mount Range,
Chennai - 600 016.
2. The Assistant Commissioner of Police,
St.Thomas Mount Range,
Chennai - 600 016.
3. The Inspector of Police,
S-9, Pazhavanthangal Police Station,
Chennai - 600 061.
4. The Public Prosecutor,
High Court, Madras.

W.P.No.18624 of 2020

SPD(CO)
GN(07/01/2021)

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