

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2020

CORAM

THE HONOURABLE MR. JUSTICE T.RAVINDRAN

W.P.No.19406 of 2020

Saranraj

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Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai,
Veppery, Chennai - 600 007.

2.The Deputy Commissioner of Police,
Ambattur, Chennai.

3.The Inspector of Police,
Thirunindravur Police Station,
Chennai.

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Respondents

Prayer: The Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to remove the name of the petitioner from History Sheet Rowdy file in H.S.No.T.11/03/11 dated 16.02.2011 opened by the T-11, Thirunindravur Police Station, Thirunindravur, Chennai the 3rd respondent herein.

For Petitioner : Mr.N.Sudharsan

For Respondents : Ms. M. Prabhavathi
Additional Public Prosecutor

ORDER

The writ petition has been filed by the petitioner seeking to issue a Writ of Mandamus directing the respondents to remove his name from History Sheet Rowdy file in H.S.No.T.11/03/11 dated 16.02.2011 opened by the T-11, Thirunindravur Police Station, Thirunindravur, Chennai, the 3rd respondent herein.

2. According to the petitioner, in the year 2010, T-11 Thirunindravur Police Station, registered a case against him in Crime No.397 of 2010 under Sections 147, 148, 341 and 302 IPC and after the trial in the abovesaid case, he was acquitted by the Fast Track Court, Thiruvallur in the year 2015. Further, according to the petitioner, two years thereafter, another case was registered against him by T-11, Thirunindravur Police Station under Section 75 r/w 7(1)(a) CLA Act in Crime No.41 of 2012 and in the same year, another case has been registered against him in Crime No.100 of 2012 under Sections 341 and 392 IPC and he had been acquitted in the abovesaid cases by the Judicial Magistrate No.2, Thiruvallur in the year 2016.

Thereafter, no case has been registered against him and he had been acquitted in all the cases registered against him and despite the abovesaid position, his name has been included in the History Sheet Rowdy file in H.S.No.T-11/03/11 dated 16.02.2011. It is further put forth that the petitioner is living with his aged mother and doing fish selling business and on account of inclusion of his name in the History Sheet Rowdy file, he has been called by the respondent police to execute a bond under Section 107 Cr.P.C, the police ought to have closed the History Sheet Rowdy file opened against him and without following the procedures, still maintaining the history sheet rowdy list against him and hence, seeking for deletion of his name from the abovesaid History Sheet, he has given representation on 09.10.2020 to the first respondent. However, the same had not been considered and disposed of, hence, left with no other alternative, according to the petitioner, he has been necessitated to prefer the writ petition.

3.At the time when the case is taken up for hearing, the Additional Public Prosecutor represented that The Deputy Commissioner of Police, Ambattur, Chennai, is the competent authority to dispose of the

representation given by the petitioner seeking for the deletion of his name from the History Sheet in H.S.No.T.11/03/11 and accordingly submitted that the Court may direct the Deputy Commissioner of Police, Ambattur, Chennai, to consider the representation preferred by the petitioner and dispose of the same in accordance with law within a specific time frame. Only for the said relief, the petitioner has also come forward with the Writ Petition.

4. Considering the abovesaid factors in toto, I am of the considered view that in the fitness of things, if a suitable direction is given to the Deputy Commissioner of Police, Ambattur, Chennai, to dispose of the representation given by the petitioner dated 09.10.2020, the same would meet the ends of justice.

5. In the light of the abovesaid factors, the Deputy Commissioner of Police, Ambattur, Chennai, is directed to consider the representation given by the petitioner on 09.10.2020 seeking for the deletion of his name from the History Sheet in H.S.No.T.11/03/11 and dispose of the same in

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

6. Accordingly, the writ petition is disposed of.

22.12.2020

Index : Yes/No

Internet: Yes/No

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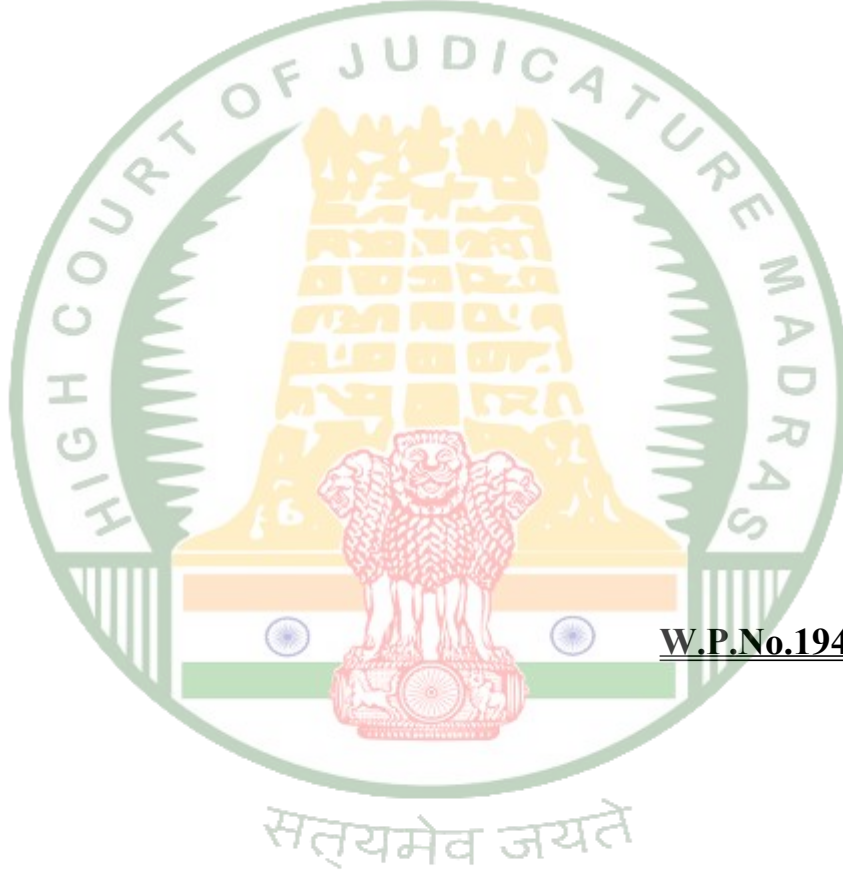
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4. The Public Prosecutor, High Court, Madras

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T. RAVINDRAN, J.

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