



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.02.2020

CORAM :

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

W.P.(MD)No.65 of 2020

R.Udhayakumar

.. Petitioner

Vs.

- 1.The Secretary,
Home Department,
Secretariat, Chennai.
- 2.The Director of Prosecution,
No.5, Kamarajar Salai,
Chennai-05.
- 3.The District Collector,
Sivagangai District,
Sivagangai.
- 4.The Inspector of Police,
CBCID,
Sivagangai District.
- 5.Ramanathan,
Public Prosecutor,
Sivagangai District Court,
Sivagangai.

.. Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to withdraw the case in S.C.No.230 of 2010, on the file of the District and Sessions Court, Sivagangai from the 5th respondent and to appoint a Special Public Prosecutor in the above said murder case within a period that may be stipulated by this Court, on the basis of the petitioner's representation, dated 19.12.2019.

For Petitioner : Mr.R.Gandhi
for M/s.Ajmal Associates

For Respondents 1 to 4 : Mrs.S.Bharathi
Government Advocate(Crl.Side)



For Respondent 5 : Mr.A.K.Manickam

O R D E R

This writ petition has been filed seeking to direct the respondents 1 to 3 to withdraw the case in S.C.No.230 of 2010 on the file of the learned District and Sessions Judge, Sivagangai, from the 5th respondent and to appoint a Special Public Prosecutor within a period that may be stipulated by this Court on the basis of the petitioner's representation, dated 19.12.2019.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal side), would submit that the representation of the petitioner has been considered and Mr.M.Ramanathan, Public Prosecutor, District and Sessions Court, Sivagangai, who is now handling S.C.No.230 of 2010 has been relieved and in his place one Mr.M.Sivasankaran, Deputy Director of Prosecution, Sivagangai, has been appointed as Special Public Prosecutor, vide order, dated 31.10.2020 in Roc.No.D2/947/2020. She further submitted that in view of the same, this writ petition has become infructuous. In view of the same, the learned counsel for the petitioner also seeks to withdraw the allegations made in the petition.

3. Recording the above submission, this writ petition stands closed. No Costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

PJL

To

1.The Secretary,
Home Department,
Secretariat, Chennai.

2.The Director of Prosecution,
No.5, Kamarajar Salai,
Chennai-05.



3.The District Collector,
Sivagangai District,
Sivagangai.

4.The Inspector of Police,
CBCID, Sivagangai District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

6.The Public Prosecutor
District Court, Sivagangai

+1 CC to MR.A.K.MANIKKAM, Advocate (SR-4679[F] dated 04/02/2020)

+2 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-4683[F] dated
04/02/2020)

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