



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.4495 of 2020

Muppidathi

... Petitioner

Vs

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Deputy Superintendent of Police,
Thalayuthu Division,
Tirunelveli District.

3.The Inspector of Police,
Seethaparanallur Police Station,
Tirunelveli District.

4.Anthonyraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove the petitioner's name from the History Sheet maintained by the 3rd respondent by considering his representation dated 08.02.2020.

For Petitioner : Mr.S.R.A.Ramachandhran

For Respondents : Mrs.M.Ananthadevi

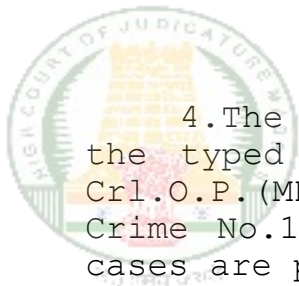
Govt. Advocate (Crl. Side) for R1 to R3

ORDER

Heard the learned counsel on either side.

2.The petitioner wants this Court to direct the respondents 1 and 2 to remove his name from the history sheet list maintained by the third respondent.

3.When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that three cases are pending against the petitioner and that is why his name was included in the history sheet list. This Court called upon learned Government Advocate (Crl. Side) to furnish the details. Mr.A.Subbu Ramakrishnan, Sub Inspector of Police attached to the third respondent police station is present in person to give instructions to the learned Government Advocate (Crl. Side). He stated that Crime No.219 of 2015, Crime No.93 of 2019 and Crime No.178 of 2019 are pending against the petitioner and that is why the petitioner's name has been included in the history sheet list.



4.The petitioner's counsel drew my attention to page No.4 of the typed set of papers in which the order dated 26.11.2019 in CrI.O.P.(MD)No.17504 of 2019 has been enclosed. By the said order Crime No.178 of 2019 has been quashed. Thus as on date only two cases are pending against the petitioner.

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5.It appears that the inclusion of the petitioner's name in the access list was also on the same day i.e., 26.11.2019. Inasmuch as the respondents had proceeded on the premise that the petitioner is involved in three cases and it has been shown that one case has been quashed by this Court, the respondents will have to be necessarily directed to remove the name of the petitioner from the history sheet list. It is always open to the respondents to take fresh action as per law.

6.With this liberty to the respondent, this writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police,
Tirunelveli District,Tirunelveli.
- 2.The Deputy Superintendent of Police,
Thalayuthu Division,Tirunelveli District.
- 3.The Inspector of Police,
Seethaparanallur Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.R.A.RAMACHANDRAN, Advocate (SR-9865[F]

W.P. (MD)No.4495 of 2020

SMA/13/03/2020/2P/6C