



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD) No.15208 of 2020

Thunaiyaar

... Petitioner

Vs.

1.The Secretary to Government
Home Department,
Secretariat,
St George Fort
Chennai.

2.The Director General of Police,
Directorate,
Beach Road,
Chennai.

3.The Superintendent of Police
Pudukkottai District.

4.Karunakaran
Inspector of Police,
Ponnamaravathy Police Station,
Pudukkottai District.

5.Illayaraja
Police Constable,
Ponnamaravathy Police Station,
Pudukkottai District.

6.Murugan
Police Constable
Ponnamaravathy Police Station,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 3 to take appropriate action against the respondents 4 to 6 and also to pay necessary compensation to the petitioner for the maltreatment of the respondents 4 to 6 during the custody period based on the petitioner's representation dated 01.10.2020.

For Petitioner : M/s.S.Bharathi

For Respondents 1 to 3 : Mr.Srinivasan,
Government Advocate



O R D E R

By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2. Mr.Srinivasan, learned Government Advocate, takes notice for the respondents 1 to 3.

3.The petitioner would submit that on 20.12.2019, the respondents 4 to 6 came to the petitioner's house and illegally took the petitioner to the police station and detained him illegally for one day and night and attacked with stick and hands, as a result of which, he sustained serious head injuries and blood bleeding in left ears and also sustained injuries in private parts. On the next day, the villagers came to police station and admitted him in the Government Hospital, Singampunari, for treatment and for further treatment admitted in Madurai Government Hospital, for more than 4 days as inpatient and later he was discharged from the hospital. Now the petitioner is taking continuous treatment for his hearing impairment, which is due to the above attack and therefore, the petitioner made a detailed representation dated 01.10.2020 through the respondents 1 to 3 to initiate departmental action against the illegal action of the respondents 4 to 6 and to give compensation for lost of his hearing in ears due to assault done by the said police officers, since the same was not considered so far, the petitioner is before this Court.

4.The learned Counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner, dated 01.10.2020, is disposed of by the respondents 1 to 3 as per law.

5.The learned Government Advocate appearing for the respondents 1 to 3 on instructions, would submit that no such representation has been received from the petitioner.

6. Under such circumstances, this Court, directs the petitioner to send a copy of the representation dated 01.10.2020 to the third respondent through registered post and on receipt of the same, the third respondent shall consider the same and pass appropriate orders, on its own merit and in accordance with law, within a period of four weeks from the date of receipt of the representation and communicate the action taken to the petitioner.

7.The writ petition is disposed of as above. No costs.

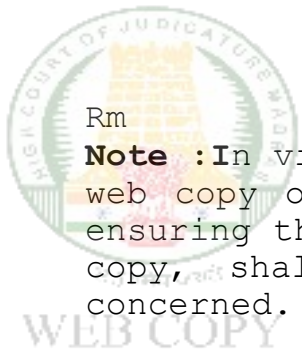
Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Rm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

- 1.The Secretary to Government
Home Department,
Secretariat,
St George Fort
Chennai.
- 2.The Director General of Police,
Directorate,
Beach Road,
Chennai.
- 3.The Superintendent of Police
Pudukkottai District.

W.P (MD) No.15208 of 2020
03.11.2020

ARK (CO)
KB (18.11.2020) 3P 4C