



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD)No.16384 of 2020

R. Gomathi

... Petitioner

Vs

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
3. The Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli District.

... Respondents

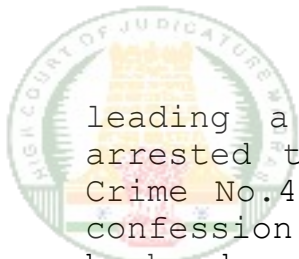
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus, directing the respondents to consider and dispose of the representation dated 01.10.2020 by giving an opportunity of being heard, as expeditiously as possible within the time as prescribed by this Court.

For Petitioner : Mr.R.Anand
For Respondents : Mr.R.Srinivasan
Government Advocate

O R D E R

This Writ Petition has been filed to direct the respondents to consider and dispose of the representation dated 01.10.2020 by giving an opportunity of being heard as expeditiously as possible within the time as prescribed by this Court.

2. The learned counsel for the petitioner would submit that the petitioner's husband is presently owning a brick unit and also doing agricultural operation. Due to personal motive, he was foisted with criminal case alleging that he transported the river sand illegally and he has faced the same and got it disposed. Thereafter, the petitioner's husband reformed himself started a brick unit and



leading a decent life. While being so, the third respondent arrested the petitioner's husband in connection with the case in Crime No.417 of 2020, under Section 379 I.P.C.(sand theft), on the confession statement given by one John Peter as if the petitioner's husband was also a partner of a M.Sand unit. Thereafter, the third respondent is misguiding the first respondent so as to get an order under Act 14 of 1982 positively branding the petitioner's husband as a "sand offender" before that as per the law laid down by this Court, an enquiry must be taken place on the strength of the said representation. Hence, the petitioner's husband made a representation, dated 01.10.2020 to the first respondent and the same was forwarded by the respondent police to put forth his grievance. So far, no action has been taken by the respondents. Hence, the present petition.

3.The learned Government Advocate appearing for the respondents, on instructions, would submit that the representation of the petitioner dated 01.10.2020 will be considered within a period of three weeks.

4.Considering the submission made on either side, the respondents are directed to consider the representation of the petitioner, dated 01.10.2020, on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order and communicate the result to the petitioner so that she can work out her rights in the manner known to law. .

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ls/msa

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 District Collector,
Tirunelveli District,
Tirunelveli.



2. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
3. The Inspector of Police,
Kallidaikurichi Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P (MD) No.16384 of 2020
20.11.2020

SVN(CO)
CS(11.12.2020) 3P 5C