



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 14/10/2020

PRESENT

The Hon'ble Mr.Justice **G.K.ILANTHIRAIYAN**

W.P.(MD)No.3454 of 2016

and

W.M.P.(MD)Nos.3058 and 3059 of 2016

WEB COPY

S.Saravanan

: Petitioner

Vs.

1.The Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Government of Tamil Nadu,
Fort St. George, Chennai 600 009.

2.The Additional Director General of Police,
Social Justice & Human Rights,
Chennai 600 004.

3.The District Collector,
Theni District.

4.The Superintendent of Police,
Theni District.

5.The Sub Inspector of Police,
Gudalore South Police Station,
Theni.

6.Ramba

7.Kannappan

8.Vinoth

9.The Deputy Superintendent of Police,
CBCID, Theni.

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 8 herein to pay Rs.10,00,000/- (Rupees Ten Lakhs only) towards compensation to the petitioner's minor son S.Sanjai, aged 14, and consequently direct the 4th respondent herein to transfer the investigation in Crime No.170 of 2015 on the file of the Gudalore South Police Station, Theni to the 9th respondent herein for fair and speedy investigation.

For Petitioner

:Mr.K.Appadurai

For R1 to R5, R9
R8

:Ms.M.Anantha Devi

Government Advocate (Crl.side)

For R6

:Mr.K.Guhan



O R D E R

This writ petition has been filed seeking direction to direct the respondents 1 to 8 herein to pay Rs.10,00,000/- (Rupees Ten Lakhs only) towards compensation to the petitioner's minor son S.Sanjai, aged 14, and consequently direct the 4th respondent herein to transfer the investigation in Crime No.170 of 2015 on the file of the Gudalore South Police Station, Theni to the 9th respondent herein for fair and speedy investigation.

2. The learned Government Advocate (Crl.Side) would submit that after registering FIR in Crime No.170 of 2015, the fifth respondent has completed the investigation and the same was closed as 'mistake of fact' on 11.06.2017 itself. Therefore, the prayer sought by the petitioner has become infructuous.

3. Recording the said submission made by the learned Government Advocate (Crl.Side), this Writ Petition is dismissed as infructuous. No costs. However, the fifth respondent is directed to serve referred charge sheet notice to the petitioner. On receipt of the same, the petitioner is at liberty to file a protest petition before the jurisdictional Magistrate Court concerned in the manner known to law. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd

To

- 1.The Secretary to Government,
Adi Dravidar & Tribal Welfare Department,
Government of Tamil Nadu,
Fort St. George, Chennai 600 009.
- 2.The Additional Director General of Police,
Social Justice & Human Rights, Chennai 600 004.
- 3.The District Collector,
Theni District.
- 4.The Superintendent of Police,
Theni District.



5.The Sub Inspector of Police,
Gudalore South Police Station, Theni.

6.The Deputy Superintendent of Police,
CBCID, Theni.

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

+1 CC to Mr.K. APPADURAI, Advocate (SR-20089[F] dated 15/10/2020)

+1 CC to Mr.K. GUHAN, Advocate (SR-20259[F] dated 15/10/2020)

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and
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VB (05.11.2020) 3P 10C