

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.4762 of 2020

ORDER:

This writ petition is filed to declare the action of the 3rd respondent in compelling the petitioner to produce his caste certificate in the notice, dated 20.01.2020, issued under Section 41-A Cr.P.C., as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

3. Learned Assistant Government Pleader for Home submits that, since a case is registered against the petitioner under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, it is only for the purpose of convenience and expediting the investigation into the said case, the respondent authorities have sought for production of the caste certificate, and if the petitioner so chooses not to produce the caste certificate, the authorities will obtain the same from the authority, who is competent to issue the same, as per the procedure, and conduct investigation in accordance with law.

4. Learned counsel for the petitioner submits that in response to the notice issued under Section 41-A Cr.P.C., the petitioner has sent his reply by speed post.

5. Having regard to the submissions made and considering the fact that the petitioner has given a reply to the notice, dated 20.01.2020, issued under Section 41-A Cr.P.C., including the issue relating to production or non-production of the caste certificate, the authorities shall

take same into consideration and conduct further investigation into the crime registered against the petitioner in accordance with law.

6. Subject to the above, the writ petition is closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:03.03.2020

GJ

