

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.2219 of 2021

D.Elangovan

.. Petitioner

vs.

1.The Deputy Inspector General of Police,
Villupuram District,
Villupuram.

2.The Superintendent of Police,
Villupuram District,
Villupuram.

3.The Deputy Superintendent of Police,
Villupuram District,
Villupuram.

4.The Inspector of Police,
Valavanur Police Station,
Villupuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the second respondent herein to remove the name of the petitioner from the history sheet register maintained by them.

For Petitioner : Mr.V.Balamurugane

For Respondents: Mr.M.Mohammed Riyaz
Additional Public Prosecutor

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the 4th respondent to remove the name of the petitioner from the history sheet maintained by the 4th respondent.

2.The case of the petitioner is that an FIR came to be registered in Crime No.562 of 2003, before the 4th respondent for an offence under Section 147, 148, 323, 324 and 307 of IPC. Pursuant to the same, the 4th respondent had opened a history sheet in HS.No.501/08, against the petitioner. Inhereafter, there are no cases against the petitioner and

inspite of the same, the petitioner continues to be in the history sheet register maintained by the 4th respondent. A representation was made by the petitioner in this regard on 13.10.2010. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

3.Heard Mr.V.Balamurugane, learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and also the limited relief sought for in this writ petition, there shall be a direction to the 4th respondent to consider the representation made by the petitioner on 13.10.2020 and deal with the same strictly in accordance with the guidelines of this Court in Sabari @ Sabarigi v. Assistant Commissioner of Police, Annanagar(L & O) Ranger, Madurai and Others reported in (2018) 4 MLJ Crl 585 and also the judgment of this Court in Thirumagan v. Superintendent of Police, Madurai and Others reported in (2020) 2 LW Crl 266. The petitioner is directed to make a fresh representation along with a copy of this order to the 4th respondent. The 4th respondent shall take a decision within a period of six weeks from the date of receipt of a copy of this order.

This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

1.The Deputy Inspector General of Police,
Villupuram District,
Villupuram.

2.The Superintendent of Police,
Villupuram District,
Villupuram.

3.The Deputy Superintendent of Police,
Villupuram District,
Villupuram.

4.The Inspector of Police,
Valavanur Police Station,
Villupuram District.

5.The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.V.Balamurugane, Advocate SR.6483

W.P. No.2219 of 2021

AK II(CO)
CB(25/02/2021)



WEB COPY