

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.2423 of 2021

Periyar Selvam

...Petitioner

Versus

1. The Superintendent of Police,
Nagapattinam District,
Nagapattinam.
 2. The Deputy Superintendent of Police,
Sirkazhi,
Nagapattinam District.
 3. The Inspector of Police,
Sirkazhi Police Station,
Nagapattinam District.
- ...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 26.10.2020 and pass orders for requesting to remove his name from the History Sheet maintained by the 3rd respondent police.

For Petitioner : Mr.V.Elangovan

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

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the respondent police to remove the name of the petitioner from History Sheet maintained by the 3rd respondent in H.S.No.407 of 2020.

2.The case of the petitioner is that he is the District Secretary of Thanthai Periyar Dravidar Kazhagam which is non-political organization. According to the petitioner, he had participated in various agitations conducted by the organization. According to the petitioner, the 3rd respondent had registered FIRs against the petitioner during the years 2017 to

2020 as and when the petitioner participated in any agitation. The further case of the petitioner is that the 3rd respondent had mechanically opened the History Sheet against the petitioner in H.S.No.407 of 2020.

3.The petitioner made a representation on 26.10.2020, requesting the respondents to remove the name from the History Sheet. Since, the same was not considered, the present petition has been filed before this Court.

4.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.

5.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 26.10.2020 strictly in accordance with the guidelines issued by this Court in the case of Sabari vs. The Assistant Commissioner of Police, Madurai City and Others reported in 2018 4 MLJ Crl 585 and in the case of Thirumagan and Others Vs. The Superintendent of Police, Madurai District and Others reported in 2020 2 LW Crl 266 and take a decision, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 3rd respondent along with a copy of this order.

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

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Superintendent of Police,
Nagapattinam District,
Nagapattinam.
2. The Deputy Superintendent of Police,
Sirkazhi,
Nagapattinam District.

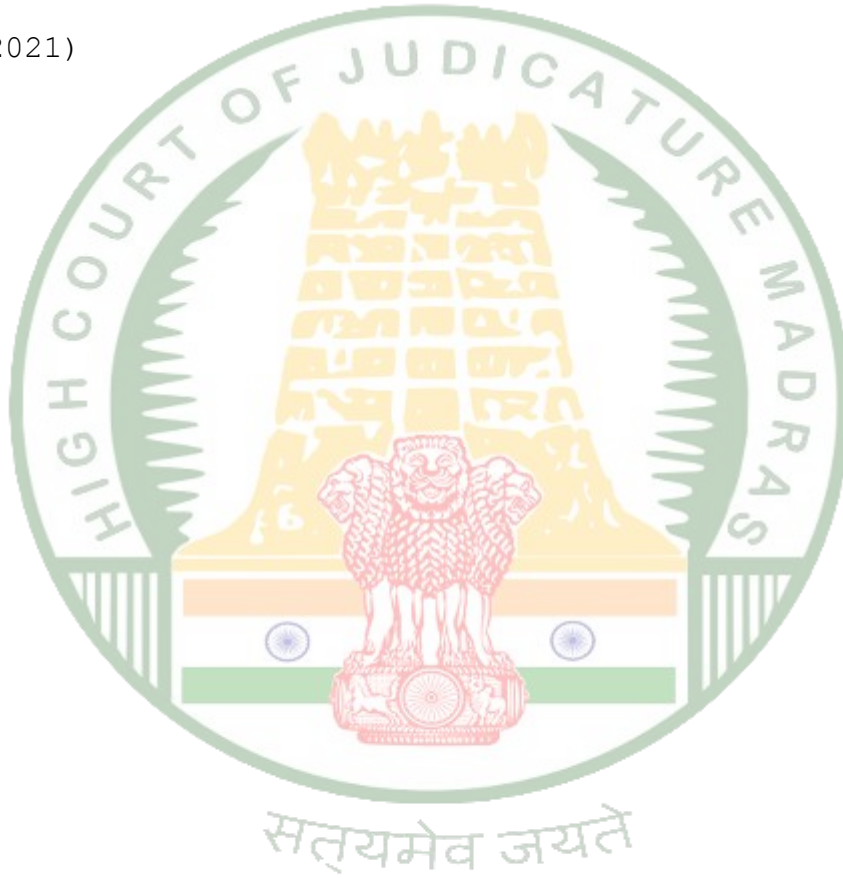
3. The Inspector of Police,
Sirkazhi Police Station,
Nagapattinam District.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No. 16825

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SKY (CO)
GN (15/04/2021)



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