



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.7764 of 2021

S.Veeramani,
S/o.Arumugam

... Petitioner
Vs.

1. State Rep. By
The Commissioner of Police,
Greater Chennai,
Veppery, Chennai-600 007.

2. State Rep. By
The Deputy Commissioner of Police,
St. Thomas Mount, Chennai-600 116.

3. State Rep. By
The Inspector of Police,
Shankar Nagar Police Station,
Chennai-600 075.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus to direct the 3rd respondent to remove the petitioner name in the history sheeted rowdy list by considering pursuant to the representation of the petitioner dated 08.03.2021.

For Petitioner : Mr.S.Sairaman

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

On consent given by either parties, the main writ petition is taken up for final hearing.

2. This writ petition has been filed for issuance of Writ of Mandamus directing the 3rd respondent to remove the petitioner name in the history sheeted rowdy list by considering the representation of the petitioner dated 08.03.2021.

3. The case of the petitioner is that Pallavaram Police Station registered an FIR in Crime No.1221 of 2016 and this petitioner was made an accused in the said case. The further case of the petitioner is that a final report has been filed in this case before the learned Judicial Magistrate II, Tambaram and the same is pending in C.C.No.4 of 2021. According to the



petitioner, there is no case pending before the third respondent and in spite of the same, the third respondent has opened a History Sheet against the petitioner in H.S.No.3 of 2016.

4. According to the petitioner, in order to justify the continuation of the name in the History Sheet in H.S.No.3 of 2016, the third respondent has initiated proceedings under Section 110 of Cr.P.C. The petitioner therefore made a representation to the Respondents on 08.03.2021 requesting for removal of the name of the petitioner from the History Sheet. Since the same was not considered, the present writ petition has been filed before this Court.

5. I heard Mr.S.Sairaman, the learned counsel for the petitioner and Mr.M.Mohamed Riyaz, the Additional Public Prosecutor for the Respondents.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the third respondent to consider the representation made by the petitioner on 08.03.2021 and deal with the same strictly in accordance with the guidelines issued by this Court in [Sabari @ Sabarigiri Vs. Assistant Commissioner of Police, Anna Nagar, (L&O) Range, Madurai city, Madurai and others] in 2018 4 MLJ Cr1. 585 and in [Thirumurugan and another Vs. The Superintendent of Police, Madurai] reported in 2020 2 LW cr1 266 and take a decision, within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the third respondent along with a copy of this order.

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

Sd/-

Assistant Registrar (CS III)

/TRUE COPY/

Sub-Assistant Registrar

To

1. The Commissioner of Police,
Greater Chennai,
Veppery, Chennai-600 007.
2. The Deputy Commissioner of Police,
St. Thomas Mount, Chennai-600 116.
3. The Inspector of Police,
Shankar Nagar Police Station,
Chennai-600 075.



4. The Public Prosecutor
High Court, Madras.

+1CC TO MR.S.SAIRAMAN, ADVOCATE, SR.NO. 19389

WEB COPY

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PMK (CO)
KKN 21.04.2021