

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WP No. 8091 of 2021

B.Silambarasan,

... Petitioner

vs.

1. Deputy Commissioner of Police,
O/o. Deputy Commissioner of Police,
St. Thomas Mount,
Chennai.

2. The Inspector of Police,
Crompt Police Station,
Chennai.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to remove the petitioner name in the History Sheet H.S.No.16 of 106 maintained by the 2nd respondent herein in pursuant to the petitioner representation dated 16.09.2021.

For Petitioner : Mr.P.Muthamizh Selvakumar

For Respondents : Mr.C.Raghavan

Government Advocate, (Crl. Side)

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 16.09.2021, wherein the petitioner has sought for removal of his name from the history sheet, maintained by the third respondent in HS No.16 of 2016.

2. The case of the petitioner is that the 2nd respondent registered an F.I.R. in Crime No.483 of 2015 and the petitioner was added as an accused in this case. According to the petitioner, the petitioner pleaded guilty and also paid the fine. Thereafter, there was no case registered against the petitioner by the second respondent. However, in the meantime, a history sheet was opened as against the petitioner by the second respondent police in H.S.No.13 of 2016. The petitioner therefore made a representation to the respondents on 16.09.2021

to remove his name from the history sheet. Since the same was not considered, the present Writ Petition has been filed before this Court.

3. Heard Mr. P.Muthamizh Selvakumar, learned counsel appearing for the petitioner and Mr.C.Raghavan, learned Government Advocate (Crl. Side) appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in the Writ Petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 16.09.2021 and deal with the same strictly in accordance with the guidelines issued by this Court in Sabari Vs. The Assistant Commissioner of Police, Madurai City and Ors., reported in 2018 (4) MLJ Crl 585, and Thirumagan and Ors. Vs. The Superintendent of Police, Madurai District and Ors., reported in 2020 (2) LW Crl 266 and pass orders within a period of four weeks from the date of receipt of a copy of this Order. The petitioner is directed to make a fresh representation to the second respondent along with a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

Rm

To

1.The Deputy Commissioner of Police,
O/o.Deputy Commissioner of Police,
St.Thomas Mount, Chennai.

2.The Inspector of Police,
Chrompet Police Station, Chennai.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.P.Muthamizh Selvakumar, Advocate, S.R.No. 21377

WP No. 8091 of 2021

RSV(CO)
GN(22/06/2021)