



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 07.07.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 3438 of 2013

C. John De Silva

.. Petitioner

Versus

1. The Commissioner of Police,
Egmore, Chennai-8.
2. The Inspector of Police
F4, Thousand Lights Police Station
Chennai 600 006.

.. Respondents

Writ Petition filed under Article 126 of Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to give suitable directions on the petitioner's representation dated 20.11.2012 to the 2nd respondent herein to remove the petitioner's name from the rowdy list record, within the stipulated time as deem fit and proper by this Court.

For Petitioner : Mr. A. Gunaseelan

For Respondents : Mr. Stalin Abhimanyu
Government Advocate

ORDER

The petitioner has filed this Writ Petition to direct the 1st respondent to issue suitable direction to the 2nd respondent herein to remove the petitioner's name from the rowdy list record by considering his representation dated 20.11.2012 within the stipulated by this Court.

2. It is the specific claim of the petitioner that subsequent to the representation dated 21.11.2012, for removal of petitioner's name from the Rowdy list, no orders came to be passed by the second respondent.



3. Upon instructions, learned counsel for the respondents submitted that even in the year 2019, the petitioner indulged himself in unlawful activities and therefore, the petitioner was arrested and remanded to judicial custody. While so, the petitioner is not entitled to seek for removal of his name from the history sheet. For removal of one's name from the history sheet, it must be shown that the petitioner has reformed and has not indulged in any adverse notice of the respondents. However, as mentioned above, even in the year 2019, a case has been registered against the petitioner and he was remanded to judicial custody.

4. The learned counsel for the petitioner refuted such statement made by the learned counsel for the petitioner and submitted that the petitioner did not involve himself in any unlawful activities and that he has reformed himself and leading a life with rectitude.

5. The petitioner claims himself to have been leading a life with rectitude and has not indulged himself in any unlawful activities. The writ petition has been filed to remove the petitioner's name from the history sheet. However, the learned Government Advocate submitted that the petitioner has come to the adverse notice of the respondents even in the year 2019 and he has been arrested and remanded to judicial custody. Such a statement of the learned Government Advocate is disputed by the learned Counsel for the petitioner. Having regard to the above rival submissions, without going into the merits of the matter, this Court directs the second respondent to consider the representation of the petitioner dated 20.11.2012 on merits and pass appropriate orders on the same, if not passed earlier, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that if already an order has been passed, the second respondent shall communicate the same to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-III)

// True Copy//

Sub Assistant Registrar

msr



To

1. The Commissioner of Police,
Egmore, Chennai-8.

2. The Inspector of Police
F4, Thousand Lights Police Station
Chennai 600 006.

+1cc to the Government Pleader, S.R.No.32004

WP. No. 3438 of 2013

SSI (CO)
SU(03/09/2021)