

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

W.P.No.9087 of 2021

A.Mohammed Mydeen

... Petitioner

vs.

1.The Superintendent of Police,
O/o.District Superintendent of Police,
Tiruvarur & District.

2.The Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to remove the petitioner's name as existing as History Sheet No.553 of 2007 from the History Sheet record maintaining by the 2nd respondent.

For Petitioner : Mr.P.Vijendran

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

O R D E R

This Writ Petition has been filed for issue of a Writ of Mandamus directing the respondents to consider the representations made by the petitioner dated 05.11.2020 and 19.11.2020, wherein the petitioner has sought for removal of his name from the history sheet, maintained by the second respondent in HS No.553 of 2007.

2.The case of the petitioner is that the 2nd respondent police registered a case in the year 2005 and the petitioner was added as an accused in this case. Subsequently, a history sheet was opened as against the petitioner by the second respondent police in H.S.No.553 of 2007. Therefore, the petitioner made a representation to the District Collector, Tiruvarur dated 05.11.2020 and the first respondent dated 19.11.2020, 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 the learned counsel for the petitioner and the learned Additional Public Prosecutor 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 representations made by the petitioner dated 05.11.2020 and 19.11.2020 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

//True Copy//

Sub Assistant Registrar

Ms

To

1.The Superintendent of Police,
O/o.District Superintendent of Police,
Tiruvarur & District.

2.The Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Vijendran, Advocate, S.R.No. 23314

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RSV(CO)
GN(17/06/2021)