

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P. No.16385 of 2020

A.G.Narasimhan

.. Petitioner

.vs.

1. The Superintendent of Police,
Namakkal District,
Namakkal.

2. The Deputy Superintendent of Police,
Rasipuram,
Namakkal District.

3. The Inspector of Police,
Vennanthur Police Station,
Namakkal District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 1st respondent to dispose petitioner's grievance petition dated 28.10.2020 and delete the petitioner's name from the record of History Sheet in H.S.No.209/2003 on the file of 3rd respondent and direct them to pay compensation Rs.10,00,000/- as damages for keeping petitioner name in the record of History Sheet and surveillance list for 17 long years unjustifiably without any valid reasons which impaired his name and fame in that locality.

For Petitioner : Mr.S.Pushpakaran

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

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the 3rd respondent to remove the name of the petitioner from the History Sheet maintained by the 3rd respondent in H.S.No.209 of 2003.

2.The case of the petitioner is that he is a practicing advocate having a long standing in the Bar. The further case of the petitioner is that the 3rd respondent had foisted false cases against the petitioner. Based on the same, a history sheet was opened by the 3rd respondent in H.S No.209 of 2003. The grievance of the petitioner is that the name of the petitioner is retained in the history sheet for nearly 17 years without any justification. The petitioner therefore made a representation to the 1st respondent on 28.10.2020, seeking to remove his name from the history sheet. Since the same was not considered, the present writ petition has been filed before this court seeking for appropriate directions.

4.Heard Mr.S.Pushpakaran, learned counsel for the petitioner and Mr.M.Mohamed Riyaz, 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 sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 28.10.2020, in accordance with the guidelines of this Court in Sabari @ Sabarigiri v. Assistant Commissioner of Police, Annanagar(L & O) Ranger, Madurai and Others reported in (2018) 4 MLJ Cr1 585 and also the judgment of this Court in Thirumagan v. Superintendent of Police, Madurai and Others reported in (2020) 2 LW Cr1 266. The 3rd respondent shall 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 2nd respondent along with a copy of this order.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

KP

To

1. The Superintendent of Police,
Namakkal District,
Namakkal.

2. The Deputy Superintendent of Police,
Rasipuram,
Namakkal District.
3. The Inspector of Police,
Vennanthur Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court of Madras,
Madras.

+1cc to Mr.S.Pushpakaran, Advocate, S.R.No.16744.

W.P. No.16385 of 2020

GPL (CO)
CSR 31.03.2021