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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.19653 OF 2021

S.Saran Raj

... Petitioner

Versus

1. The Superintendent of Police
Office of the Superintendent of Police
Cuddalore, Cuddalore District
Tamil Nadu 608 801.

2. The State:
Rep.by the Inspector of Police
Sethiyathope Police Station
Bhuvanagiri Taluk
Cuddalore District 608 601.

... Respondents

PRAYER:

Writ Petition filed Article 226 of the Constitution of India, Writ of Declaration, declaring that keeping the petitioner's name as history sheeted rowdy in the second respondent Police station and kept him under constant surveillance is arbitrary, illegal and offending the petitioner's right of privacy guaranteed under Article 21 of the Constitution of India, Consequently direct the respondents herein to remove petitioner's name from the history sheeted rowdy list maintained in the second respondent Police Station within a stipulated time.

For Petitioner : Mr.P.R.Thiruneelakandan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

O R D E R

This petition has been filed to declare that keeping the petitioner's name as history sheeted rowdy in the second respondent Police station and kept him under constant surveillance is arbitrary, illegal and offending the petitioner's right of privacy guaranteed under Article 21 of the



Constitution of India and consequently direct the respondents herein to remove the petitioner's name from the history sheeted rowdy list maintained in the second respondent Police Station within a stipulated time.

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2. The petitioner has filed this petition seeking removal of his name from the History Sheeter.

3. The learned counsel for the petitioner has submitted that he has not involved in any criminal case. The petitioner is a Graduate in Engineering, hails from a respectful family. The petitioner had participated in political activities during the period 2014 to 2016. Hence, he was falsely implicated as accused and he is termed as a history sheeted rowdy, which greatly affects the day to day routine life of the petitioner. He was projected by the respondent police as rowdy in eye of the Society. Therefore, the petitioner had earlier approached this Court in W.P.No.33387 of 2019 and this Court by the order dated 28.11.2019 directed the Superintendent of Police to consider the representation of the petitioner and pass appropriate orders. However, no orders have been passed and the fate of the petitioner's representation is not known. Hence, the petitioner again sent a representation on 27.07.2021 and even thereafter, the respondent Police has not yet taken any action.

4. The learned Additional Public Prosecutor has submitted that the petitioner's representation dated 27.07.2021 has been received by the Superintendent of Police, Cuddalore, and the same would be considered and appropriate orders will be passed within a period of eight weeks from the date of receipt of copy of this order.

5. In view of the above, it is made clear that any further delay in considering the petitioner's representation would not be entertained by this Court. The Superintendent of Police, Cuddalore shall dispose of the representation of the petitioner within a period of eighth weeks in accordance with law. In any event, the Superintendent of Police, Cuddalore fails to take any action within the stipulated time, the petitioner shall file contempt petition against him, if he so desires.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS II)

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Sub Assistant Registrar



To

1. The Superintendent of Police
Office of the Superintendent of Police
Cuddalore, Cuddalore District
Tamil Nadu 608 801.
2. The Inspector of Police
Sethiyathope Police Station
Bhuvanagiri Taluk
Cuddalore District 608 601.
3. The Public Prosecutor,
High Court, Madras.

W.P.No.19653 of 2021

RSV(CO)
PM/22/11/2021