



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2021

CORAM :

THE HONOURABLE **Mrs.JUSTICE R.HEMALATHA**

W.P.(MD)No.7132 of 2021

Surendran

...Petitioner

/Vs./

1.The Superintendent of Police,
Kanyakumari District at Nagercoil.

2.The Additional Superintendent of Police,
(Head Quarters),
Kanyakumari District at Nagercoil.

3.The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the first and second respondents to remove the petitioner's name from the History Sheet, which is being maintained by the third respondent.by considering the petitioner's representation dated 8.3.2021

For Petitioner : Mr.M.R.Sreenivasan
For Respondents : Mr.A.Robinson
Government Advocate (Criminal Side)

ORDER

The present petition is filed by the petitioner seeking for a direction to the respondents to remove his name from the History Sheet. The main grievance of the petitioner is that his representation dated 08.03.2021 has not been considered till date.

2.Mr.A.Robinson, learned Government Advocate (Criminal Side) for the respondents, on instructions, would contend that the representation submitted by the petitioner did not reach the respondents till date and that as per the directions issued by the Hon'ble Justice Mr.N.Seshasayee, in **W.P(MD)Nos.21040 of 2018 batch** cases, reported in **2020 (2) LW (Cr1) - 266** in **Thirumagan Vs. The**



Superintendant of Police, Madurai District and another, a committee would be formed soon.

3.In the circumstances, the petitioner, if so advised, can file a fresh petition before the Additional Superintendent of Police (Head Quarters), Kanyakumari District at Nagercoil, and on receipt of the same, the Additional Superintendent of Police (Head Quarters), Kanyakumari District at Nagercoil, is directed to dispose of the representation submitted by the petitioner based on findings and on merits, within a period of two weeks from the date of receipt of a copy of this order/uploading of the order, keeping in mind the guidelines issued in the decisions in **Sabari @ Sabarigiri Vs. Assistant Commissioner of Police, Annanagar (L&O) Range, Madurai City, Madurai and Others** reported in 2018 4 MLJ (Cr1) 585 and **Thirumagan Vs. The Superintendent of Police, Madurai District** reported in 2020 (2) LW (Cr1) - 266.

4.With the above observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Kanyakumari District at Nagercoil.

2.The Additional Superintendent of Police,
(Head Quarters),
Kanyakumari District at Nagercoil.



3.The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-14584[F] dated
30/03/2021)

W.P. (MD)No.7132 of 2021
30.03.2021

Ak(11/05/2021) 3P 6C