



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2021

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGOVAN

W.P.(MD)No.11076 of 2021

S.Sathya

... Petitioner

Vs.

1. The District Collector,
Ramanthapuram District.

2. The Superintendent of Police,
Ramanthapuram District.

3. The Inspector of Police,
Nainerkovil Police Station,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of Constitution of India, to direct the respondents to consider and dispose of the petitioner's representation dated 21.06.2021 by giving an opportunity of being heard, as expeditiously as possible, within the time stipulation as prescribed by this Court.

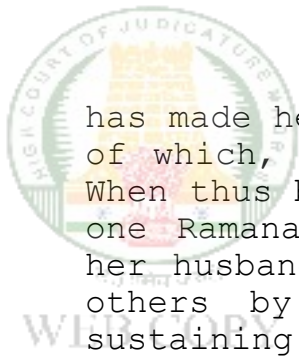
For Petitioner : Mr.R.Anand

For Respondents : Mr.R.M.Anbubithi,
Additional Public Prosecutor.

ORDER

This Writ Petition is filed seeking a direction to the respondents to consider and dispose of the petitioner's representation, dated 21.06.2021 by giving an opportunity of being heard, as expeditiously as possible, within the time stipulated as prescribed by this Court.

2. The case of the petitioner is that presently he is holding the post of Panchayat President and during the time of election, the candidates contested against her, has done his maximum so as to get stepped down from his commendable reputation before the village people. He has also gone to the extent of giving a false complaint before the third respondent. However, the same are suitably defended from outside before the Court of Law. Her victory in the election



has made her inimical terms increased upto triple times, as a result of which, in one way or other, he planned to axe down his family. When thus being so, on 16.06.2021, the said opposite party headed by one Ramanathan along with his associates, have brutally assaulted her husband Lenin Raja and such group have also tried to eliminate others by attacking them with aruval. In connection with the sustaining of injuries, a complaint was lodged by Kaleeswari w/o. Lenin Raja and the same was taken into consideration by registering an F.I.R in Crime No.158 of 2021 and the investigation of the same is in half-way through. As a counter-blast, one Alagu was made to give a complaint as if her relatives have ransacked the houses of the said Alagu and her supporters. As her side is more influential, the third respondent has bent upon to her, which resulted in the registration of a false case in Crime No.159 of 2021, for the offences under Sections 147, 148, 294(b), 435, 436, 506(ii), 120B of IPC r/w Section 3 and 4 of Tamil Nadu Property (Prevent of Damage & Loss) Act, 1922, wherein, all the family members have been figured as accused in the column prescribed for mentioning the accused in the printed F.I.R. However, she has not been shown as a perpetrator of the said crime in such column. As far as her husband by name Samidurai is concerned, after the incident with regard to the assault being made upon his brother Lenin Raja, he rushed to secure him for providing treatment and accordingly, he has taken him to the Government Hospital, where, as it was informed that as there was no vacancy for admission, he has admitted him in a private hospital. He was there throughout the day and night taking care of his brother. Be that as it may, the third respondent, under the guise of getting clarification about certain queries in Crime No.158 of 2021, has asked her husband to accompany with him on en-route, they have changed the fact in which through forcible means, they have put her husband under detention and after obtaining his signature in various papers, by informing that he is also an accused in Crime No.159 of 2021, produced him before the Committal Court for remand. Having no connection whatsoever, unfortunately, her husband was committed to prison. Even after his pathetic stage of being incarcerated, the opposite team has not felt satisfied and hence once again influenced the third respondent to take necessary steps so as to keep her husband continuously in the prison, for which, the third respondent was being given with extraneous consideration. In view of the above, the third respondent, very conveniently, by showing the said F.I.R as a ground case, is reported to have forwarded the case records relating to her husband before the first and second respondents for the purpose of branding him as ''Goonda''.

3. The learned Additional Public Prosecutor would submit that order has been passed by the District Collector, detaining the husband of the petitioner under the Goondas Act by the order, dated 13.07.2021. Since the order has been passed nothing survives in this petition.



4. Recording the submission made by the learned Additional Public Prosecutor, nothing survives in this Writ Petition and hence no further orders are required. Therefore, this Writ Petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

kmm

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 District Collector,
Ramanthapuram District.
2. The Superintendent of Police,
Ramanthapuram District.
3. The Inspector of Police,
Nainerkovil Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

W.P. (MD) No.11076 of 2021

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