



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2021

CORAM :

WEB COPY

**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAISWAMY**

W.P. (MD) No.18939 of 2021

and

W.M.P (MD) No.15754 of 2021

Tamil Nadu Prosecuting Officers' Association,
represented by its
President,
T.Panneer Selvam

... Petitioner

Vs

1.The State of Tamil Nadu,
represented by its
Additional Chief Secretary to Government,
Home (Court-IV) Department,
Secretariat,
Chennai - 600 009.

2.The Director of Prosecution,
Office of the Director of Prosecution,
Tamil Nadu Slum Clearance Annex Building,
Kamarajar Salai,
Chennai - 600 005.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Declaration to declare Section 6A of the Code of Criminal Procedure, 1973 (State Amendment) inserted by the Tamil Nadu Act 42 of 1980 as repugnant to the Act of Parliament and void in view of Article 254 of the Constitution of India and in view of Criminal Procedure Code (Amendment Act 25 of 2005) and for a direction, directing the respondents to appoint Additional Public Prosecutors/Public Prosecutors in all the District Sessions Courts in the State of Tamil Nadu only from the "Regular Cadre Prosecuting Officers" in accordance with Section 24(6) of the Code of Criminal Procedure, 1973.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.P.Thilak Kumar
Government Pleader



ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Since the petitioner does not wish to pursue the petition, W.P. (MD) No.18939 of 2021 is dismissed as not pressed.

2. There will be no order as to costs. Consequently, W.M.P (MD) No.15754 of 2021 is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

MR/RM

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 Additional Chief Secretary to Government,
State of Tamil Nadu,
Home (Court-IV) Department,
Secretariat,
Chennai - 600 009.

2. The Director of Prosecution,
Office of the Director of Prosecution,
Tamil Nadu Slum Clearance Annex Building,
Kamarajar Salai,
Chennai - 600 005.

+1 CC to M/s.SPL.GP (SR-32569[F] dated 26/10/2021)

W.P. (MD) No.18939 of 2021

25.10.2021

MGJ/PM(02.11.2021) 2P 4C