



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.NO.11854 OF 2022

K. Moorthy @ K.N.K.Senjeraja

... Petitioner

-Vs-

The Home Secretary

Government of Tamil Nadu,

Fort St.George,

Chennai 600 009.

... Respondent

Prayer :]

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider the petitioner representation dated 04.01.2020 and to withdraw the prosecution pending on the file of the Special Court for Schedule Caste and Scheduled Tribes at Villupuram.

For Petitioner : No appearance
(Party in person)

For Respondents: Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.side)

O R D E R

This petition has been filed to direct the respondent to consider the petitioner's representation dated 04.01.2020 and to withdraw the prosecution pending on the file of the Special Court for Schedule Caste and Scheduled Tribes at Villupuram.

2. There is no representation on behalf of the petitioner.
Heard the learned Government Advocate (Crl.side).

3. There is no representation on behalf of the petitioner
and the petition filed to direct the respondent to consider his



representation and withdraw the prosecution pending on the file of the Special Court for SC & ST, Villupuram, cannot be issued by this Court in the eye of law, particularly to the whims and fancies of the petitioner. It is for the state to take a call whether the prosecution has to be continued or not and file an application before the appropriate Court, thereafter the Court has to consider whether such prosecution is worth for withdrawal or to be continued. Such being the position there cannot be any direction as prayed for.

4. With the above observation the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dpq

To

1. The Home Secretary,
Government of Tamil Nadu,
Fort St.George,
Chennai 600 009.
2. The Special Court for Schedule Caste
and Scheduled Tribes at Villupuram.
3. The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.K.Moorthy @ Senjeraja(Party in person), S.R.No.36755

W.P.No.11854 of 2022

JP(CO)
PM/05/07/2022