



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.03.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No. 4124 of 2022

M.Palanisamy

.. Petitioner

Vs.

1. The Superintendent of Police
Thoothukudi, Thoothukudi District

2. The Deputy Superintendent of Police
Kovilpatti, Thoothukudi District

3. The Inspector of Police
Kalugumalai Police Station
Thoothukudi District

..Respondents

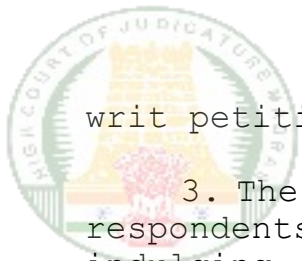
Prayer : This petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing respondents to remove the petitioner's name from the rowdy list in the third respondent police station on the basis of the petitioner's representation dated 03.01.2022

For Petitioner	: Mr.P.Krishnasamy
For Respondents	: Mr.R.M.Anbunithi
No.1 to 3	Additional Public Prosecutor

ORDER

The prayer sought for in the present writ petition is to direct the respondents to remove the petitioner's name from the rowdy list in the third respondent police station on the basis of the petitioner's representation dated 03.01.2022

2. The learned counsel appearing for the petitioner would due to wreck vengeance the respondent police has registered a false case against the petitioner. In continuation, in order to harass the petitioner and to restrict his movements, at the instigation of the superior officers in the Police Department, History Sheeted Rowdy Book was opened at the second respondent police station and the petitioner was compelled to attend the police station in the pretext of enquiry in a routine manner. In this regard, the petitioner had already made representation on 03.01.2022, to delete the History Sheet, but the respondents have not yet considered till date. Therefore, he sought for allowing the



writ petition.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that the petitioner is an habitual offender indulging in rowdy activities, extortion, katta panchayats, etc. Hence, History Sheeted Rowdy Book was opened at the third respondent police station as against the petitioner and it is being extended regularly as per the Police Standing Order. Therefore, he prays to dismiss the writ petition.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

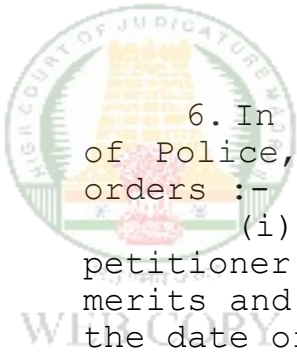
5. The issue involved in this writ petition has already been dealt with by the Madurai Bench of this Court and detailed order has been passed in W.P.(MD)No.19651 of 2017 on 26.09.2018. On the basis of the above said Order, the Director General Of Police, Chennai issued a circular in Rc.No. 133410/Crime 4(3)/2018 dated 05.10.2018, which reads as follows :-

The Hon'ble Madurai Bench of Madras High Court in its order dated 26.09.2018, in a batch of cases, in the reference second cited, while quashing the History Sheet maintained in certain Police Stations and which are challenged before the Hon'ble Court, has observed and directed as follows :-

"28..... there is a general pattern adopted trend by the Police to continue to retain the names of the persons in the history sheet showing them as rowdies without any justifiable reasons. The Police did not realise that the purpose of opening a history sheet is to keep surveillance and check on hardened and habitual criminals in order to maintain peace and tranquility in the society.

29. As mentioned above, it also becomes the duty of the Police to keep reviewing the history sheet regularly to ensure that the persons, who are no longer required to be retained in the list are removed from the list, since it involves the dignity and public image of a person

30. Whenever representations are made by the persons whose names are found in the history sheet, it is the duty of the respondent Police to consider the same It will be of no use for the respondent Police to keep the



6. In view of the above circular passed by the Director General of Police, Chennai, this Court is inclined to pass the following orders :-

(i) the third respondent is directed to consider the petitioner's representation, dated 03.01.2022 and pass orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this Order.

7. With the above directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
Thoothukudi, Thoothukudi District
2. The Deputy Superintendent of Police
Kovilpatti, Thoothukudi District
3. The Inspector of Police
Kalugumalai Police Station
Thoothukudi District
4. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.P.KRISHNASAMY, Advocate (SR-10886[F] dated 09/03/2022)

W.P (MD).No.4124 of 2021
08.03.2022

SB(CO)
KB(17.03.2022) 4P 6C