



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD)No.11823 of 2020

Vimala

... Petitioner

/Vs./

- 1.The Home Secretary,
Home Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 9.
- 2.The Director General of Police,
DGP Office,
Mylapore,
Dr.Radhakrishnan Salai,
Chennai - 5.
- 3.The Dean,
Government Hospital,
Dindigul.
- 4.The Superintendent of Police,
O/o. Commissioner of Police,
Dindigul.
- 5.The Deputy Superintendent of Police,
Dindigul Range,
Dindigul.
- 6.The Inspector of Police,
Viruveedu Police Station,
Dindigul.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the third respondent to conduct re-postmortem of the petitioner's husband namely, Manikandan body through two senior professors from Forensic Department and in the presence of an independent expert forensic Doctor from petitioner's side under the full video coverage based on petitioner's representation, dated 14.09.2020 with a stipulated time that may be fixed by this Court and consequently direct the second



respondent withdraw the investigation in Crime No.789 of 2020 pending on the file of the sixth respondent police and transfer the same and entrust the investigation to the fifth respondent with direction to investigate the case in accordance with law.

For Petitioner : Mr.V.Pandiyan
For R1 to R6 : Mr.M.Sakthikumar
Government Advocate

ORDER

This Writ Petition has been filed to direct the third respondent to conduct re-postmortem on the body of the petitioner's husband namely, Manikandan, through two senior professors from Forensic Department and in the presence of an independent expert forensic Doctor from the petitioner's side under the full video coverage based on petitioner's representation, dated 14.09.2020.

2. This Court by order, dated 18.09.2020, directed to conduct re-postmortem. Now as per the orders of this Court, re-postmortem has already been done and postmortem certificate was also filed. The writ petitioner has sought for re-postmortem, which has been done. The postmortem certificate reveals that the postmortem conducted by Dr.T.Selvaraj, MBBS., DCH., MD., Professor & HOD, District Police Surgeon, Department of Forensic Medicine, Madurai Medical College, Madurai - 20, Dr.S.Sadasivam, MBBS., D.V., MD(FM) Assistant Professor, Department of Forensic Medicine, Madurai Medical College, Madurai - 20 and Dr.V.Rama, DMRT., M.D., (F.M.), Assistant Professor, Department of Forensic Medicine, Madurai Medical College, Madurai - 20. The report itself has been produced by the learned counsel for the petitioner.

3. In such view of the matter, no further order is required. It is for the Investigation Officer to proceed further as per law to file a final report.

4. With the above observation, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 Home Secretary,
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Chennai - 9.
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O/o. Commissioner of Police,
Dindigul.
- 5.The Deputy Superintendent of Police,
Dindigul Range,
Dindigul.
- 6.The Inspector of Police,
Virusveedu Police Station,
Dindigul
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD) No.11823 of 2020

02.03.2022

MGJ(15.03.2022) 3P 8C