



WP(MD)No.21411 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.09.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.21411 of 2022

Nachiappan

... Petitioner

/vs./

1. The Secretary to Government
Home, Prohibition and Excise Department
Secretariat
Fort.St.George
Chennai 600009
2. The Superintendent of Police
Pudukottai District
Pudukottai
3. The Inspector of Police
Thirumayam Police Station
Pudukottai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second Respondent to remove the Petitioner's name from the history sheet which is being maintained by the 3rd Respondent by considering the Petitioners representation dated 16.05.2022



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For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mrs.K.Christy Theboral
No.1 Additional Government Pleader
Nos.2 and 3 Mr.T.Nambi Selvam
Additional Public Prosecutor

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the second Respondent to remove the Petitioner's name from the history sheet which is being maintained by the 3rd Respondent by considering the Petitioner's representation dated 16.05.2022.

2.The learned Additional Government Pleader takes notice for the first Respondent. The learned Additional Public Prosecutor takes notice for the Respondents 2 and 3. By consent, the Writ Petition itself is taken up for final disposal.

3.Heard the learned Counsel for the Petitioner, learned Additional Government Pleader and the learned Additional Public Prosecutor appearing for the Respondents.



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4. The learned Additional Public Prosecutor would submit that no previous case is pending against the Petitioner. As per the Police Standing Orders it has to be maintained for two years. He would further submit that the Petitioner had sent representation and based on that representation the second Respondent will pass appropriate orders.

5. The submission of the learned Additional Public Prosecutor cannot be accepted. The date of the representation is 16.05.2022, the Petitioner had approached this Court by way of Writ of Mandamus after waiting for a long time. The learned Additional Public Prosecutor is unable to countenance the contention of the learned Counsel for the Petitioner that except the case is SC No.68 of 2016, no other case is pending against the him.

6. In the light of the above, the Petition stands allowed. No costs.

16.09.2022

Index : Yes / No

Internet : Yes / No

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3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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