



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.22543 of 2021

C.K.Anand

... Petitioner

Vs.

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Trichy City.
- 2.The Assistant Commissioner of Police, (L&O)
Srirangam Range,
Trichy City.
- 3.The Inspector of Police,
Woraiyur Police Station,
Trichy City.

...Respondents

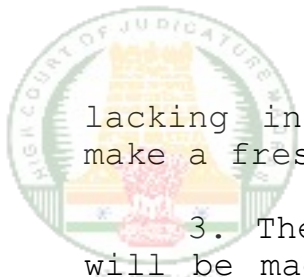
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent in his proceedings dated 12.09.2021 and quash the same and consequently direct the respondents to remove the petitioner's name from History Sheet No.178/2004 which was maintained by the third respondent police.

For Petitioner : Mr.K.M.Karunakaran
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2. The petitioner's name is figuring in the History Sheet list maintained by the third respondent. The petitioner wants the name to be removed. But the petitioner's request was rejected by the third respondent. The same has been challenged in this writ petition. The third respondent is obviously not the competent authority to decide in the matter. Therefore, the impugned order is set aside, as



lacking in jurisdiction. However, the petitioner is permitted to make a fresh representation to the jurisdictional authority.

3. The petitioner's counsel states that such a representation will be made within two weeks from the date of receipt of copy of this order. The jurisdictional authority (Deputy Commissioner of Police) is directed to take decision on the petitioner's request on merits and in accordance with law within three weeks thereafter. The Writ Petition is allowed on these terms. No costs.

Sd/-

Assistant Registrar (AD I)

// 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 Commissioner of Police,
Office of the Commissioner of Police,
Trichy City.
2. The Assistant Commissioner of Police, (L&O)
Srirangam Range,
Trichy City.
3. The Inspector of Police,
Woraiyur Police Station,
Trichy City.
4. The Deputy Commissioner of Police,
Trichy, Trichy.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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