



W.P.No.27321 of 2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM:

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

W.P.No.27321 of 2007

M.P.No. 1 of 2007

Satheesh

...Petitioner

-Vs-

1. State of Tamil Nadu
rep by its Home Secretary
Fort St. George,
Chennai -9.

2. Union of India
rep by its Secretary to Government,
Ministry of Law,
Loadi Road,
New Delhi.
(Cause title amended as per order
dated 12.03.2008 in M.P.No.2 of
2007 in W.P.No.27321 of 2007)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration in the light of the appended affidavit to declare Section 190 & 200 of the Cr.P.C., as being ultra vires Articles 14 & 21 of the Constitution, to the limited extent that it permits a judicial Magistrate to enquire cognizable cases such as murder etc., even in the first instance, without recourse to the statutory agencies such



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as the police, as consequently direct the second respondent to investigate the petitioner's complaint to the first respondent and to file a report before this Court within 60 days.

For Petitioner : No appearance

For Respondents : Ms.V.Yamunadevi
Special Government Pleader

ORDER

This Writ Petition has been filed to declare Section 190 & 200 of the Cr.P.C., as being ultra vires Articles 14 & 21 of the Constitution, to the limited extent that it permits a judicial Magistrate to enquire cognizable cases such as murder etc., even in the first instance, without recourse to the statutory agencies such as the police, as consequently direct the second respondent to investigate the petitioner's complaint to the first respondent and to file a report before this Court within 60 days.

2. Today, when the matter is taken up for hearing, no one is appearing on behalf of the petitioner either in person nor through counsel.



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3. Hence, the Writ Petition stands dismissed for default.

Consequently, connected miscellaneous petition is also closed. There shall be no order as to cost.

13.04.2023

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts

To

1. The Home Secretary
State of Tamil Nadu
Fort St. George,
Chennai -9.

2. The Secretary to Government,
Union of India
Ministry of Law,
Loadi Road,
New Delhi.

3. The Public prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J.

rts

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