



W.P.No.28722 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2023

CORAM

THE HON'BLE MR. JUSTICE S.S.SUNDAR

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

W.P.No.28722 of 2013

S.Selvam

.. Petitioner

Vs

1. Union of India,
Rep. by its Secretary,
Ministry of Law and Company Affairs,
Shastri Bhavan,
New Delhi 110 001.
2. State of Tamil Nadu,
Rep. by its Secretary to Government,
Public Department, Fort St. George,
Chennai 600 009.
3. The City Public Prosecutor,
City Civil Court Buildings,
Chennai 600 104.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India,



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praying for issuance of a Writ of Certiorari, calling for the records pertaining to GO.Ms.No.952 Public (Law and Order-H) Department, dated 06.09.2013 issued by the 2nd respondent and to quash the same is an abuse of process of law and is unconstitutional and illegal as it affects the petitioner's right to freedom of speech and expression and that of the press and media.

For Petitioner	:	Ms.R.Bhuvaneswari
For Respondents for R1	:	Mr.Rajesh Vivekananthan Deputy Solicitor General, Government of India
for RR2 & 3	:	Mr.E.Raj Thilak Additional Public Prosecutor

ORDER

[Order of the Court was made by S.S.SUNDAR,J.]

This Writ Petition is filed to quash GO.Ms.No.952 Public (Law and Order-H) Department, dated 06.09.2013 issued by the 2nd respondent.

2. The learned Additional Public Prosecutor on instructions submitted



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that G.O. which is impugned in the present Writ Petition has already been withdrawn by the Government vide G.O.Ms.No.493, Public (Law and Order-H) Department, dated 10.08.2021. Therefore, the prayer sought for in the present Writ Petition has become infructuous. However, it is stated that the Government has already initiated proceedings pursuant to the earlier G.O. Therefore, a formal permission is required from this Court to withdraw the criminal case, which has been registered as against the petitioner.

3. In the light of the above submissions, this Court gives the direction/permission to withdraw the criminal case, which has been registered as against the petitioner based on the earlier GO.Ms.No.952, dated 06.09.2013.

4. With the above observation, this Writ Petition is dismissed as infructuous. No costs.

[SSSRJ] [SMJ]
16.10.2023

pvs



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Internet : Yes

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To

1. The Secretary,
Union of India,
Ministry of Law and Company Affairs,
Shastri Bhavan,
New Delhi 110 001.
2. The Secretary to Government,
State of Tamil Nadu,
Public Department, Fort St. George,
Chennai 600 009.
3. The City Public Prosecutor,
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4. The Public Prosecutor
High Court, Madras.



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S.S.SUNDAR,J.

AND

SUNDER MOHAN,J.

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