



W.P.No.23645 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.23645 of 2023

Chitti Babu @ Bakrudeen

... Petitioner

Versus

- 1.The Director General of Police (L & O),
Direct General of Police Office,
Mylapore,
Chennai – 600 004.
- 2.The Inspector General of Police,
West Zone,
TVS Toll Gate,
Trichy – 620 020.
- 3.The Superintendent of Police,
Ariyalur,
Ariyalur District.
- 4.The Revenue Divisional Officer,
Ariyalur,
Ariyalur District.
- 5.Prabakaran,
S/o.Chellamuthu,
Inspector of Police (Temporary),
Bhavanisagar Police Station,
Erode District.



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6.Rajavelu,
S/o.Muthuvel,
Ariyalur Police Station,
Ariyalur Police Quarters,
Kizappazhanur,
Ariyalur District.

7.Kannan,
S/o.Varadharajan,
Head Police No.338,
No.3/743, Pudhumarket Road,
Ariyalur District.

8.Ravi,
S/o.Rajagopal,
Police No.660,
Vivekandan Street,
Andimadam,
Ariyalure District.

9.Anandhan,
S/o.Karamayil,
Police No.740,
Ariyalur Police Quarters,
Kizappazhanur,
Ariyalur District.

10.Dharmadurai,
S/o.Rajendran,
Police No.472,
Ariyalur Police Quarters,
Ariyalur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other writ or order or direction, directing the 1st to 3rd respondent to dispose the petitioner's representation dated 02.12.2019 and to take departmental action against 5th 10th respondents on the basis of the report filed by the 4th respondent.



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For Petitioner : Mr.G.Ranganathan
For R1 to R4 : Mr.E.Veda Bagath Singh,
Special Government Pleader

ORDER

This Writ Petition has been filed to direct the respondents 1 to 3 to dispose of the petitioner's representation, dated 02.12.2019 and take departmental action against the respondents 5 to 10 on the basis of the report filed by the 4th respondent.

2.The grievance of the Writ Petitioner is that on 16.11.2013 when the petitioner and his friend were going by two wheeler, the respondents 9 and 10, who are the Police Constables, stopped the two wheeler and asked the petitioner to produce registration certificate and other documents relating to the vehicle without uniform. Since the petitioner had some doubt on them, they refused to produce the documents. Thereafter, the respondents 9 and 10 forcibly took the petitioner and his friend to the Police Station where they were subjected to torture and harassment at the hands of the respondents 5 to 10 which culminated into enquiry by the Revenue Divisional Officer, Ariyalur/4th respondent. The 4th respondent/enquiry officer has conducted enquiry and found the petitioner and his friend were



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subjected to torture and humiliation in the Police Station. Though an enquiry report has been submitted by the 4th respondent on 08.08.2014, no action has been taken against the Police officials/respondents 5 to 10. In this regard, a representation has also been given by the petitioner on 02.12.2019 before the respondents 1 to 3, however, no action has been taken so far.

3. Heard the submissions of the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3 and perused the entire materials.

4. As the representation is of the year 2019 and the 4th respondent has also substantiated the version of the petitioner by his enquiry report, 08.08.2014, there shall be a direction to the petitioner to give fresh representation to the 1st respondent, within ten days, from the date of receipt of a copy of this order. The 1st respondent shall consider the same along with the enquiry report of the 4th respondent and take appropriate action, as per law, within a period of three months thereafter.



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5. With the above directions, this Writ Petition stands disposed of.

No costs.

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Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

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To

1. The Director General of Police (L & O),
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Mylapore,
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2. The Inspector General of Police,
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TVS Toll Gate,
Trichy – 620 020.

3. The Superintendent of Police,
Ariyalur,
Ariyalur District.

4. The Revenue Divisional Officer,
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