



W.P.No.4113 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.4113 of 2023

Balachandar Ganesan

.. Petitioner

Vs.

1. State of Tamil Nadu
Mudalvarin Mugavari Department
Rep. by Secretary
St. Fort George
Secretariat
Chennai 600 009.

2. The Deputy General of Police
DGP Office, Kailasapuram
Mylapore
Chennai 600 005.

3. Superintendent of Police
Coimbatore District
Coimbatore.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India
praying for a writ of Mandamus directing the respondents to dispose
the representation of the petitioner dated 12.01.2022 and pass such



W.P.No.4113 of 2023

or further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioner : Mr.T.Rajarathinam

For the Respondents : Mr.R.Shunmugasundaram
Advocate General
Assisted by
Mr.P.Muthukumar
State Government Pleader
for Respondent-1
Mr.E.Raj Thilak
Additional Public Prosecutor &
Ms.A.G.Shakeena

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner seeks a direction to the respondents to dispose of his representation dated 12.01.2022.

2. Learned counsel appearing for the petitioner submitted that in the year 2019, a group of accused enticed women into isolated places and sexually assaulted them after filming the incident. The videos were later on used for blackmailing the women for sexual favours and money. When this incident came to light after the last victim gave a police complaint, the same was brought to the notice of



W.P.No.4113 of 2023

WEB COPY

the police. But the police, in order to facilitate the accused, published the victim's name. As the Superintendent of Police leaked the names of the victims, the victims suffered huge humiliation and mental agony.

3. The revealing of the victim's name, educational background and location in a press statement would not only amount to violation of Section 228A of the Indian Penal Code, but would also amount to a direct threat to the other victims. Therefore, the police officer who deliberately revealed the identity of the victims shall be punished. Hence, the petitioner made representations dated 12.01.2021 and 25.07.2022 to the Director General of Police and the Superintendent of Police, Coimbatore District marking a copy to the C.M's cell to take appropriate action against the police officials involved in leaking the names of the victims. Till date, there is no response from the second and third respondents. Therefore, this writ petition has been filed.

4. Learned Advocate General submitted that action has already been taken against the concerned officer.



W.P.No.4113 of 2023

WEB COPY

5. When the Madurai Bench of this Court in W.P.(MD) No.6238 of 2019, by order dated 15.03.2019, has already issued a direction to the State Government to take disciplinary action against the police officer concerned and in deference to the order, departmental action was initiated and the same has also been questioned by the officer on the ground that it was neither deliberate nor wilful, but only due to inadvertence, without knowing this development, the filing of this vexatious writ petition by the petitioner wasting the Court's time is to be deprecated. Therefore, this writ petition is dismissed with costs of Rs.10,000/- (Rupees ten thousand only) payable by the petitioner to the credit of Madras High Court Advocate Clerks' Welfare Association within a period of two weeks from the date of receipt of a copy of this order.

(T.R., ACJ.) (D.B.C., J.)
13.02.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl



W.P.No.4113 of 2023

WEB COPY

- To
1. The Secretary
State of Tamil Nadu
Mudalvarin Mugavari Department
St. Fort George
Secretariat
Chennai 600 009.
 2. The Deputy General of Police
DGP Office, Kailasapuram
Mylapore
Chennai 600 005.
 3. Superintendent of Police
Coimbatore District
Coimbatore.



WEB COPY



W.P.No.4113 of 2023

T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

(kpl)

W.P.No.4113 of 2023

13.02.2023