



W.P(MD)No.9255 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.9255 of 2023

N.Shanmugananthan

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Assistant Commissioner of Police,
Melapalayam Range,
Tirunelveli City,
Tirunelveli.

3.The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to issue necessary direction to the respondents 2 and 3 to remove the petitioner's name from the record in the third respondent police Station in connection with Cr.No.488 of 2020 dated 20.06.2020, as per the direction of this Court in CrI.O.P(MD).No.10188 of 2022 dated 10.06.2022, on the basis of the petitioner's representation dated 21.10.2022.



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For Petitioner : Mr.P.Krishnasamy
For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the first respondent to issue necessary direction to the respondents 2 and 3 to remove the petitioner's name from the record in the third respondent police Station in connection with Cr.No.488 of 2020 dated 20.06.2020, as per the direction of this Court in CrI.O.P(MD).No.10188 of 2022 dated 10.06.2022, on the basis of the petitioner's representation dated 21.10.2022.

2. While hearing CrI.O.P(MD).No.10188 of 2022, it was submitted by the learned Additional Public Prosecutor that the investigation in Crime No.488 of 2020 has been completed and the same was closed as “Mistake of Fact”. Therefore, one of the accused, namely, Dr.Nangaiappan filed W.P(MD).No.22386 of 2022 seeking direction to remove his name from the web-site of the respondents 1 to 3 and the same was considered by this Court on 17.10.2022 and direction was also issued to the respondent police to remove his name from the web-site.



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3. The order of this Court passed in W.P(MD).No.22386 of 2022 was not complied with by the respondent police. Therefore, the petitioner made a representation on 21.10.2022 and the same was not considered by the concerned Official. Therefore, the present petition has been filed.

4. When the matter was taken up for hearing on 21.04.2023, the learned Additional Public Prosecutor appearing for the respondent police informed the Court that steps will be taken to remove the petitioner's name from the web-site, on that ground, the matter was listed today.

5. Today, when the matter is taken up for hearing, the learned counsel for the petitioner submitted that the respondent police has not complied the direction of this Court so far.

6. In view of the above, this Court directs the respondent police to remove the petitioner's name in the web-site within a period of one week from the date of receipt of a copy of this order. After removing the petitioner's name from the web-site, compliance report must be submitted to the Registry of this Court.



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With the above directions, this Writ Petition is disposed of. No

Costs.

05.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
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To

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
2. The Assistant Commissioner of Police,
Melapalayam Range,
Tirunelveli City,
Tirunelveli.
3. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

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Order made in
W.P(MD)No.9255 of 2023

Dated : 05.06.2023