



W.P(MD).No. 7279 of 2015

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.7279 of 2015

and

M.P(MD) No.2 of 2015

A.Syed Abdul Kather,
S/o.M.Abdul Rasheed,
Advocate,
Madras High Court Madurai Bench,
District President of Social Democratic Party of India,
Advocate Wing,
23, Sungam Pallivasal Street,
Madurai – 625 001.

..... Petitioner

- Vs-

1. The Home Secretary,
Government of Tamil Nadu,
For St. George,
Chennai – 600 009.
2. The Director General of Police,
Tamil Nadu Police Head Quarters,
Kamarajar Salai,
Chennai – 600 004.
3. The Inspector General of Police,
S.I.D., Crime Branch C.I.D.,
No.220, Pantheon Road,
Egmore, Chennai – 8.



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4. The Commissioner of Police,
Madurai City Police,
South Chithirai Street,
Madurai – 625 001.
5. The Deputy Commissioner of Police,
Law and Order,
Madurai City Police,
Madurai – 625 001.
6. The Superintendent of Police,
District Police Office,
K.Pudur, Madurai – 625 007.
7. The Superintendent of Police,
District Police Office,
Theni District.
8. The Superintendent of Police,
District Police Office,
Sivagangai District.
9. S.Mari Rajan
Additional Superintendent of Police,
SID, Crime Branch C.I.D,
Madurai Unit,
No.22, Kanaka Appartments,
Lady Dock College Road,
Madurai – 625 002.
10. Murugavel,
Inspector of Police,
Crime Branch CID,
Trichy Unit, Trichy – 20.



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11. Manivannan
Inspector of Police,
Crime Branch CID Unit
Madurai.
12. Velmurugan,
Inspector of Police,
Crime Branch CID Unit,
Madurai.
13. Srinivasan,
Inspector of Police,
SID, Crime Branch CID,
No.22, Kanaka Appartments,
Lady Dock College Road,
Madurai – 625 002.
14. Saravanan
Inspector of Police,
SID, Crime Branch CID,
Coimbatore Unit,
Coimbatore.
15. S.Sivakumar
Special Investigation Officer,
Inspector of Police,
Anna Nagar Police Station,
Madurai – 20.
16. The Inspector of Police,
K.Pudur Police Station,
Madurai - 625 007.



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17. The Inspector of Police,
Melur Police Station,
Madurai District.
18. The Inspector of Police,
Southgate Police Station,
Madurai – 625 001.
19. The Inspector of Police,
Thirupparangundram Police Station,
Madurai – 16.
20. The Inspector of Police,
Vilakkuthone Police Station,
Madurai – 625 001.
21. The Inspector of Police,
Theppakulam Police Station,
Madurai – 625 003.
22. The Inspector or Police,
Avaniapuram Police Station,
Madurai – 14.
23. The Inspector of Police,
Q Branch CID,
No.36, Gurunagar,
Thanakkankulam Post,
Madurai.
24. The Inspector of Police,
Theni Police Station,
Theni District.
25. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining the impugned proceedings passed by the third respondent in his proceedings in Rc.No.C6/6097/94/2015, dated 10.04.2015 and quash the same as illegal.

For Petitioner : No appearance

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader
For – R1

: Mr.R.M.S.Sethuraman
Additional Public Prosecutor
For R2 to R8 and R16 to R25

: Mr.M.E.Ilango
For R9

: Mr.J.Lawrance
For R10 to R14

: No appearance – For R15

ORDER

This Writ Petition has been filed challenging the impugned proceedings passed by the Inspector General of Police, S.I.D., Crime Branch, C.I.D., whereunder the Inspector has been nominated for further investigation of the case noted against each other.



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2. When the matter was taken up for hearing on 02.02.2023, there was no representation on the side of the writ petitioner and hence, the matter was posted on 07.02.2023 under the caption “for dismissal”. But however, the same has not been listed under the caption “for dismissal” on that day, but, the matter has been listed on 16.02.2023 as a regular case. Even today, there is no representation on behalf of the petitioner.

3. The ground, on which, challenge has been made is that such proceedings have been made without considering the representation of the petitioner, dated 15.04.2015. Further, the ground raised is that there are allegations against the concerned Officers made by the petitioner and that the ninth respondent in the writ petition is trying to act against certain persons.

4. The order impugned in the writ petition has been made by the head of the special investigation Division of C.B.C.I.D. If the petitioner's claim is to be entertained, then it would amount to allowing persons to dictate as to who should be the Investigation Officer. This claim of the petitioner cannot



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be allowed. It is for the Department concerned to decide. I do not find any illegality or infirmity in the order impugned in the writ petition.

5. Accordingly, this writ petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

16.02.2023

NCC: Yes / No

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Index : Yes / No

Internet : Yes / No
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To

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K.KUMARESH BABU, J.

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Order made in
W.P(MD)No. 7279 of 2015

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