



W.P.(MD)No.28308 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.28308 of 2022

R.Harikrishna

... Petitioner

Vs.

1.The Inspector of General of Police,
South Zone,
Madurai District.

2.The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.

3.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.

4. The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent Nos.1 and 2 to consider the petitioner's representation, dated 27.11.2022 as per Section 4(1)(e) of the Scheduled Castes and the Scheduled Tribes Act, 1989.



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For Petitioner : Mr.K.Dinesh,

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus, directing the respondent Nos.1 and 2 to consider the petitioner's representation, dated 27.11.2022 as per Section 4(1)(e) of the Scheduled Castes and the Scheduled Tribes Act, 1989.

2. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the State would submit that the case was registered for the offences under Sections 294(b), 506(ii) IPC r/w Sections 3(1)(r), 3(1)(s) of Scheduled Castes and Scheduled Tribes (POA) amendment Act, 2015 and after completing the investigation, they have filed the final report as 'mistake of fact'. He would further submit that RCS notice was not served on the defacto complainant so far.



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3. Recording the said submission made by the learned Additional Public Prosecutor, the third respondent is directed to serve RCS notice on the defacto complainant and on receiving the same, the petitioner is at liberty to file a protest petition before the jurisdictional Court.

4. Accordingly, the Writ Petition is disposed of. No costs.

24.01.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das



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To

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4. The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
W.P.(MD)No.28308 of 2022

Dated: 24.01.2023