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W.P.No.2546 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 04.06.2024

CORAM :

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.2546 of 2024

Revathi

.. Petitioner

**Versus**

1. The State rep by  
The Director General of Police,  
O/o The Director General of Police,  
Police Headquarters,  
Chennai - 4.
2. The Deputy Inspector General of Police (DIG),  
O/o The Deputy Director General of Police,  
Villupuram Range,  
Villupuram.
3. The Superintendent of Police,  
O/o District Superintendent of Police,  
Cuddalore District,  
Cuddalore - 1.
4. V.Raja

.. Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus directing the respondents 1 to 3 to transfer the 4th respondent to far away from the present posting place at



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Vadalur Police Station, Cuddalore District pursuant to the petitioner's representation, dated 18.02.2023 and 31.01.2024.

For Petitioner : Mr.R.Thirumoorthy

For Respondents : Mr.C.Jayaprakash,  
Government Advocate,  
for RR-1 to 3

: Mr.S.Ramesh, for R4

### **ORDER**

This Writ Petition is filed seeking for a direction to the respondent Nos.1 to 3 to transfer the fourth respondent far away from the present posting place pursuant to the petitioner's representations, dated 18.02.2023 and 31.01.2024 respectively.

2. The case of the petitioner is that her husband was taken into Police custody and was tortured resulting in his death while in custody. In respect of the same, a case was registered in Crime No.4 of 2015 and now, the same is pending trial in Spl.S.C.No.40 of 2021 on the file of the Special Court for Trial Cases under SC/ST (Prevention of Atrocities) Act, Cuddalore. Since the majority of the witnesses who are to be examined in the said case, were all working in and around Cuddalore and since most of them were sub-



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ordinates to the fourth respondent who is arrayed as the first accused in the said case, the petitioner made a representation to shift the fourth respondent to a farther place so that he will not exert any influence on the witnesses, whereas, the fourth respondent is now continuing as the Inspector of Police in nearby Police Station in Vadalur.

3. The petitioner has made a representation on 31.01.2024. Today, when the matter is taken up for hearing, both the learned Counsel for the respondent Nos.1 to 3 and the learned Counsel for the fourth respondent submit that as on today, the trial is stayed by the Hon'ble Supreme Court of India by the order in S.L.P.No.6494 and 6495 of 2024, dated 10.05.2024. They also seek further time to file counter.

4. Be that as it may, when the petitioner has made a representation to the first respondent in the matter of transferring of the fourth respondent to a farther place from the place of occurrence, it is for the first respondent to consider the same on its own merits and pass orders thereon. Since the representation of the petitioner is pending from 31.01.2024, this Writ Petition is disposed of on the following terms :-



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(i) The first respondent is directed to consider the representation of the petitioner, dated 31.01.2024 in accordance with law and on its own merits and pass orders thereon within four weeks from the date of receipt of a copy of this order;

(ii) There shall be no order as to costs.

04.06.2024

Neutral Citation : yes/no  
grs

To

1. The Director General of Police,  
O/o The Director General of Police,  
Police Headquarters,  
Chennai - 4.
2. The Deputy Inspector General of Police (DIG),  
O/o The Deputy Director General of Police,  
Villupuram Range,  
Villupuram.
3. The Superintendent of Police,  
O/o District Superintendent of Police,  
Cuddalore District,  
Cuddalore - 1.



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**D.BHARATHA CHAKRAVARTHY, J.**

grs

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