



W.P.(MD)No.15635 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.15635 of 2022

and

WMP(MD)No.11255 of 2022

Shahul Hameedh

... Petitioner/Witness LW4

Vs.

1.The State rep by
The District Collector,
Collectrate, Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam.
(In Crime No.373 of 2017)

... Respondents/Complainant

3.The Home Secretary to Government,
State of Tamil Nadu, Secretariat, Chennai.

4.The Director of Prosecution,
Tamil Nadu Urban Habitat Development Board,
Annex Building 1st Floor,
No.5, Kamarajar Salai, Chennai-600 005.

(R3 & R4 are Suo-motu impleaded vide Court order dated 17.08.2022 in WP(MD)No.15635 of 2022 by VSGJ)

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to appoint Mr.B.Mohan, practicing Advocate at District Courts, as Special Public Prosecutor in S.C.No.173 of 2017 pending before the learned Principal District and Sessions Court, Virudhunagar at Srivilliputhur in Crime No.373 of 2017 on the file of the second respondent in the light of the



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petitioner's representation to be considered, dated 28.03.2022 within a prescribed time stipulated by this Court.

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For Petitioner : Mr.S.A.S.Alaudeen

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to appoint Mr.B.Mohan, practicing Advocate at District Courts, as Special Public Prosecutor in S.C.No.173 of 2017 pending before the learned Principal District and Sessions Court, Virudhunagar at Srivilliputhur in Crime No.373 of 2017 on the file of the second respondent in the light of the petitioner's representation, dated 28.03.2022.

2.The learned counsel for the petitioner would submit that the petitioner is victim in Crime No.373 of 2017 on the file of the second respondent police. He made a representation on 28.03.2022 for appointment of Special Public Prosecutor for conducting case in S.C.No.173 of 2017 pending on the file of the learned Principal District and Sessions Court, Virudhunagar at Srivilliputhur. The petitioner made a request before this Court that this Court may issue a direction to the first respondent to consider the petitioner's representation dated 28.03.2022 with regard to the appointment of Special Public Prosecutor for conducting case in S.C.No.173 of 2017.



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3.The learned Additional Public Prosecutor appearing for the State has no serious objection.

4.Considering the limited prayer sought for by the learned counsel for the petitioner, this Court is issued a direction to the first respondent police to consider the petitioner's representation, dated 28.03.2022 within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

08.02.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
dss



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To

1. The District Collector,
Collectrate,
Virudhunagar District,
Virudhunagar.
- 2.The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

dss

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and
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