



W.P.(MD) No.2120 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.2120 of 2018

A.Perumal

... Petitioner

Vs.

The Director,
National Commission for Schedule Caste,
2nd Floor, Block No.5, Sasthiri Bhavan,
Chennai – 600 006.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, directing the respondent to conduct the enquiry based on the complaint given by the petitioner on 05.12.2017 and representation made on 22.12.2017 to appoint the District Magistrate to file a report to the SC/ST Commission instead of Superintendent of Police, Trichy.

For Petitioner : Mr.A.Vadivel

For Respondent : Mr.K.Prabhu

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondent to conduct the enquiry based on the



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complaint given by the petitioner on 05.12.2017 and representation made on 22.12.2017 to appoint a District Magistrate to file a report to the SC/ST Commission instead of Superintendent of Police, Trichy.

2. The petitioner appears to have given a private complaint in respect of a land dispute, which got escalated to one Asaithambi, Deputy Superintendent of Police, Manaparai.

3. It is submitted that during the course of enquiry before the Deputy Superintendent of Police, Manaparai, a wordy duel appears to have ensued, wherein the concerned Deputy Superintendent of Police appears to have used caste slur against the petitioner. Under these circumstances, the petitioner has sent a representation to the respondent on 05.12.2017 asking the respondent to take appropriate action against the above said Officer namely, the Deputy Superintendent of Police, Manaparai, for using caste slur against the petitioner and abusing him during the course of enquiry.

4. The petitioner submits that pursuant to the above said complaint, the Director of National Commission for Schedule Caste, Sasthiri Bhavan,



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Chennai, the respondent herein, has called upon the Superintendent of Police, Trichirappalli District, Trichirappalli, to make an enquiry and give a report. Hence, the petitioner is before this Court asking the above relief.

5. It is submitted that the Superintendent of Police has deputed one Govindaraj, Deputy Superintendent of Police, Trichy, to enquire this matter and therefore, it cannot be expected that the said Govindaraj, Deputy Superintendent of Police would conduct a fair enquiry against his contemporary Officer of equal rank. The submission of the petitioner appears to be reasonable.

6. Considering the same, this Writ Petition is disposed of by directing the District Magistrate, Trichy, to cause an enquiry into the allegations of the petitioner regarding the alleged caste slur by Asaithambi, Deputy Superintendent of Police, Manaparai and submit it to the respondent. No costs.

05.04.2024

Index : Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
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Copy to:-

WEB COPY The District Magistrate,
Trichy.
To

The Director,
National Commission for Schedule Caste,
2nd Floor, Block No.5, Sasthiri Bhavan,
Chennai – 600 006.



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C.SARAVANAN, J.

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