



W.P.(MD)No.20388 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.20388 of 2022

Abdul Basith

... Petitioner

Vs

- 1.The Superintendent of Police,
O/o. the Superintendent of Police,
Kanyakumari District.
- 2.The Additional Superintendent of Police,
O/o. Additional Superintendent
of Police, HQRS, Nagercoil,
Kanyakumari District.
- 3.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Nagercoil, Kanyakumari District.
- 4.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
DCRB, Nagercoil, Kanyakumari District.
- 5.The Inspector of Police,
Kottar Police Station, Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of of Certiorarified Mandamus, to call for the



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record pertaining to the impugned Order in C.No. C3/ 12932/2022 on the file of the first respondent, dated 16.08.2022 and quash the same as illegal and consequently direct the first respondent to remove the name of the petitioner from History Sheet.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.B.Nambiselvan,
Additional Public Prosecutor

ORDER

This petition has been filed seeking to quash the impugned Order in C.No. C3/ 12932/2022 on the file of the first respondent, dated 16.08.2022 and consequently, direct the first respondent to remove the name of the petitioner from the History Sheet.

2. The learned counsel appearing for the petitioner would submit that the petitioner was falsely implicated in a case and on the basis of the said case, History Sheet was opened. In order to remove his name from the History Sheet, he made a representation and the same was rejected vide impugned order dated 16.08.2022. Aggrieved over the same, the present petition has been filed.



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3. The learned counsel for the petitioner would further submit that though the rejection order was passed in the year 2022, however, for the past two years, the petitioner did not commit any offence as stated in the impugned order. Hence, this Court may permit the petitioner to file a fresh representation before the concerned Police for removal of his name from the History Sheet.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that if the petitioner submits a fresh representation before the concerned Police for removal of his name from the History Sheet, the same may be considered in the next meeting.

5. Considering the facts and circumstance of the case, this Court directs the petitioner to file a fresh representation before the respondent Police and the respondent Police are further directed to place the representation before the next meeting and the same will be considered in accordance with law.



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6. This Writ Petition stands disposed of with the above direction. No costs.

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NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

- 1.The Superintendent of Police,
O/o. the Superintendent of Police,
Kanyakumari District.
- 2.The Additional Superintendent of Police,
O/o. Additional Superintendent
of Police, HQRS, Nagercoil,
Kanyakumari District.
- 3.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Nagercoil, Kanyakumari District.
- 4.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
DCRB, Nagercoil, Kanyakumari District.
- 5.The Inspector of Police,
Kottar Police Station, Nagercoil,
Kanyakumari District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

TSG

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