



W.P.(MD)No.26467 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.26467 of 2024

M.S.Tirumalai

... Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
Kariyapatti Taluk Police Station,
Virudhunagar District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus, to direct the first respondent from removing the petitioner's name from the history sheet maintained on the file of the respondents 1 and 2 and for consequential orders.

For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

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The petitioner filed this Writ Petition seeking to remove his name from the history sheet in H.S.No.644 of 2015 maintained by the respondents.

2. The learned counsel for the petitioner contended that the petitioner runs an association under the name and style of M/s.Kanima Vala Neer Vala Sutruchoolal Pathugappu Sangam. He is actively involved in combating illegal quarrying and the destruction of natural resources, with the aim of preserving nature. The petitioner has filed several public interest litigations, successfully bringing the culprits to the Court of law. However, as a result of his actions, some of the neighbors have come together and lodged multiple criminal cases against him. Six cases have been filed against the petitioner in Crime Nos.101 of 2020, 526 of 2011, 3 of 2011, 132 of 2015, 182 of 2021, and L.I.R. No.1 of 2021. In all of these cases, the action was either dropped or quashed by this Court. Therefore, the petitioner currently has no criminal cases pending against him and requests that his name be removed.



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3. The learned Additional Public Prosecutor submitted that the petitioner had previously filed W.P.(MD) No.2698 of 2020, seeking to have his name removed from the history sheet, in accordance with the Police Standing Orders. By order dated 12.02.2020, this Court directed the third respondent therein to consider the petitioner's representation dated 13.01.2020 and pass orders on the merits. Subsequently, the petitioner became involved in two cases, Crime Nos.182 of 2021 and 206 of 2023. In view of this, the petitioner's name has been retained in the history sheet.

4. The learned Additional Public Prosecutor fairly submitted that the case against the petitioner in Crime No.182 of 2021 has been quashed by this Court in Crl.O.P.(MD) No.13857 of 2022, by order dated 01.03.2024. With regard to the other case in Crime No.206 of 2023, the petitioner has produced the deletion report. Therefore, as of now, the petitioner has no criminal cases pending against him. In view of this, the petitioner's name will be removed from the history sheet.



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5. Considering the submissions, it is observed that, as of today, no criminal cases are pending against the petitioner. All the cases have either been dropped or quashed. The petitioner is an environmental activist, fighting against the exploitation of natural resources, including mining, mineral extraction, sand mafia, and related activities. As of now, the petitioner has no criminal cases pending against him. In view of the same, the first respondent is directed to remove the petitioner's name from History Sheet No.644 of 2015, within a period of two weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands allowed. No costs.

12.11.2024

NCC : Yes / No
Index : Yes / No
smn2

To

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.



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2.The Inspector of Police,
Kariyapatti Taluk Police Station,
Virudhunagar District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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Order made in
W.P.(MD)No.26467 of 2024

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