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W.P.No.7550 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2025

CORAM

**THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN**

W.P.No.7550 of 2024

and

W.M.P.No.8727 of 2024

G.Suresh

... Petitioner

Vs

1. The Secretary of Government,  
Home Department,  
Fort St. George,  
Chennai – 600 009.

2. The Superintendent of Police,  
O/o. The Superintendent of Police,  
Tiruvarur,  
Tiruvarur District.

3. The Tahsildar,  
O/o. The Tahsildar,  
Nannilam Taluk,  
Tiruvarur District – 610 105.

4. The Inspector of Police,  
Nannilam Police Station,  
Tiruvarur District.

... Respondents



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Writ Petition filed under Article 226 of the Constitution praying to issue a Writ of Mandamus, directing the fourth respondent to remove the petitioner name from History Sheet in H.S.No.579/2023 date not known and directing the respondents to award a compensation of Rs.10,00,000/- to the petitioner.

For Petitioner : Mr.K.J.Shiva Arudhra

For Respondents : Mr.A.Gopinath,  
Government Advocate (Crl.Side)  
(for R1, R2 & R4)

Mr.P.Balathandayutham,  
Special Government Pleader (for R3)

### **O R D E R**

This Writ Petition has been filed for directing the fourth respondent to remove the petitioner's name from the History Sheet in H.S. No. 579/2023, the date of which is not known, and for directing the respondents to award a compensation of Rs. 10,00,000/- to the petitioner.

2. Though the petitioner filed this Writ Petition for removal of his name from the history sheet and also sought compensation, the learned



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counsel for the petitioner would submit that he restricts the prayer only to removal of his name from the history sheet.

3. The learned Government Advocate (Crl. Side) appearing for the first, second, and fourth respondents, on instructions, states that so far no representation has been received from the petitioner for removal of his name from the history sheet.

4. Heard the learned counsel for both sides and perused the materials available on record.

5. The issue involved in this writ petition has already been dealt with by the Madurai Bench of this Court and detailed order has been passed in W.P.(MD)No.19651 of 2017 on 26.09.2018. On the basis of the above said Order, the Director General Of Police, Chennai issued a circular in Rc.No.133410/Crime4(3)/2018 dated 05.10.2018, which reads as follows :-

*The Hon'ble Madurai Bench of Madras High Court in its order dated 26.09.2018, in a batch of cases, in the reference second cited, while quashing the History Sheet*



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*maintained in certain Police Stations and which are challenged before the Hon'ble Court, has observed and directed as follows :-*

*"28..... there is a general pattern adopted trend by the Police to continue to retain the names of the persons in the history sheet showing them as rowdies without any justifiable reasons. The Police did not realise that the purpose of opening a history sheet is to keep surveillance and check on hardened and habitual criminals in order to maintain peace and tranquility in the society.*

*29.As mentioned above, it also becomes the duty of the Police to keep reviewing the history sheet regularly to ensure that the persons, who are no longer required to be retained in the list are removed from the list, since it involves the dignity and public image of a person .....*

*30.Whenever representations are made by the persons whose names are found in the history sheet, it is the duty of the respondent Police to consider the same ..... It will be of no use for the respondent Police to keep the representation pending even without considering them and driving the concerned persons to file appropriate petition before this Court. This Court only hopes that the Police learns a lesson at least after the passing of this order, to be more sensitive and serious in maintaining history sheet.*



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31..... *The Police seems to be adopting the practice of registering FIRs against the persons under Sections 109 and 110 of CrPC, just to open the history sheet and to justify the continuance of the name of the persons in the history sheet. .... automatic opening of history sheet can be done only if the person has been convicted more than twice under Section 109 of CrPC and more than once under Section 110 of CrPC. Therefore, mere registration of an FIR under Sections 109 and 110 of CrPC can never justify the action of the Police in continuing to retain the name of the person in the history sheet.*

32.....

33.*This Court wants to make it clear that in all future cases, where the retention of the name of a person in history sheet becomes a subject matter of challenge before this Court, if this Court finds that the name of the person has been retained without any justification and is in contravention with PSO Nos.746 to 748 and the guidelines given by this Court, compensation will be granted to the victims and the same will be directed to be recovered from the monthly salary of the Inspector of Police in whose station the history sheet is being maintained....."*

2. *Provisions contained in PSO 746 to 748 and the above orders of the Hon'ble High Court shall be*



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*followed scrupulously while maintaining the history sheets by the SHOs.*

*3. All Sub-Divisional Officers shall periodically review all History sheet files and Rowdy sheet files maintained in the Police Station under their jurisdiction.*

*4. IGPs in Zones, COPs in citites and the SPs in District shall sensitize all the Police personnel working under their jurisdiction in this regard and also review the cases periodically."*

6. In view of the above circular issued by the Director General of Police, Chennai, this Court is inclined to pass the following orders :-

(i) The petitioner is directed to submit a fresh representation before the second respondent within a period of two weeks from the date of receipt of a copy of this Order.

(ii) On receipt of such representation, the second respondent is directed to consider the representation, in view of the direction issued by this Court and pass orders on merits within the period of twelve weeks from the date of the receipt of the representation.



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7. With the above directions, the writ petition stands disposed of.

Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

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Index: Yes/No  
Neutral Citation: Yes/No  
kv

To

1. The Secretary of Government,  
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2. The Superintendent of Police,  
O/o. The Superintendent of Police,  
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O/o. The Tahsildar,  
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**G.K.ILANTHIRAIYAN, J.**

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