



W.P.No.31893 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2025

CORAM:

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

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G.Karuppaiya

...Petitioner

-Vs-

1. The Government of Tamil Nadu,
Rep. by its Additional Secretary,
Secretariat,
Fort St. George,
Chennai – 600 009.

2. The District Collector,
O/o. The District Collector, Salem,
Salem District.

3. The Commissioner of Police,
Salem, Salem District.

4. The Inspector of Police,
Attur Town Police Station,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent No.2, to appoint Mr.B.Mohan, Senior Advocate as Special Public Prosecutor in Spl.S.C.No.22 of 2022 pending on the file of the learned Sessions Judge, Special Court for trial of cases under SC/ST(POA) Act, Salem, in view



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of the mandate proviso to Rule 4(5) of Schedule Caste and Schedule Tribes (Prevention of Atrocities) Rules, 1995.

For Petitioner : Mr.S.Bharanidharan

For Respondents

For R1 & R2 : Mr.P.Balathandayutham
Special Government Pleader

For R3 & R4 : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This writ petition has been filed for direction directing the second respondent to appoint one B.Mohan, Senior Advocate as Special Public Prosecutor in Spl.S.C.No.22 of 2022 pending on the file of the learned Sessions Judge, Special Court for trial of cases under SC/ST(POA) Act, Salem, in view of the mandate proviso to Rule 4(5) of Schedule Caste and Schedule Tribes (Prevention of Atrocities) Rules, 1995.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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3. Without expressing any opinion on merits of the writ petition, the second respondent is directed to consider the request made by the petitioner and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order.

4. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

17.02.2024

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order

rts

To

1. The Additional Secretary,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai – 600 009.

2. The District Collector,
O/o. The District Collector, Salem,
Salem District.

3. The Commissioner of Police,
Salem, Salem District.



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4. The Inspector of Police,
Attur Town Police Station,
Salem District.

5. The Public Prosecutor,
Madras High Court,
Chennai.

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