

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.05.2015

CORAM

THE HONOURABLE MR.JUSTICE V.DHANAPALAN

W.P.No.15401 of 2015
and
M.P.No.1 of 2015

K.Rajendran

.. Petitioner

Vs.

1. State of Tamil Nadu,
Rep. By its Home Secretary,
Fort St. George,
Chennai - 600 009.

2. The Director General of Police,
Police Head Quarters,
Chennai - 600 004.

3. The Superintendent of Police,
Nagapattinam District,
Nagapattinam

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of mandamus, directing the respondents to provide armed police security to the petitioner main office at 2E, Cutcherry Road, Mayiladuthurai and provide personal armed police security to petitioner based on the representation on 25.05.2015.

For Petitioner .. Mr.V.Vaithiyalingam

For Respondents .. Mr.R.Vijayakumar
Additional Government Pleader.

ORDER

Heard Mr.Vaithiyalingam, the learned Counsel for the petitioner and Mr.R.Vijayakumar, the learned Additional Government Pleader, who takes notice for the respondents.

2. The petitioner is a practising Advocate and a Standing Counsel for Central Government in the High Court and now, he is serving as a Senior Central Government Standing Counsel at Central Administrative Tribunal, Chennai Bench. He was one of the counsels for the victims, who challenged the acquittal of 'Abdul Nasar Madani' in the Coimbatore bomb blast case.

3. It is the case of the petitioner that he has been working for the 'Bharathiya Janatha Party' for the past 30 years in various state level capacities. Since the BJP hails the concept of Hinduness and Swadesi in all fields, several Muslim fundamental organizations are planning to eradicate him and hence, he apprehends danger to his life.

4. It is also stated that on earlier occasions several leaders of BJP were killed by the terrorist organizations, since they were not provided with police security. The petitioner states that he has been receiving several threats to his life and some Muslim terrorist elements were wandering around his house, giving threatening calls. The petitioner has been entrusted with the construction of Vinayaga temple at Elanthangudi Village, Mayiladuthurai, which was demolished due to the instigation of some anti Hindu people and the petitioner's office at 2E Cutchery Road, Mayiladuthurai, Nagapattinam District, also was attacked.

5. It is stated that several BJP functionaries in various District were provided with armed police security to ensure protection to their lives. It is the grievance of the petitioner that though the police authorities are aware of his activities and the fact that several Muslim fundamental organizations are aiming to end his life, no action has been taken to provide him with personal armed police security. In this regard petitions were already sent by the town unit of Bharathiya Janatha Party, Mayiladuthurai, to the police authorities. The petitioner has also given a representation dated 25.5.2015 to the respondents. Since no response is forthcoming on the said representation, the petitioner is before this Court seeking a direction to the respondents to provide him with the personal armed police security.

6. It could be seen that the petitioner has highlighted all the circumstances, which forced him to seek for the personal armed police security, more particularly to his main office at No.2E, Cutcherry Road, Mayiladuthurai. The apprehension expressed by the petitioner cannot simply be brushed aside. It is the duty of the respondents to take a decision for providing an armed police security

to the petitioner and necessary security be provided to the petitioner not only to his office, but also to the places wherever he goes. Hence, the following direction is issued:

The respondents are directed to provide armed police security to the petitioner and security shall also be provided to his main office at No.2#, Cutcherry Road, Mayiladuthurai based on his representation dated 22.05.2015 and take a decision in this regard forthwith.

The writ petition is disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ars/msk

To

1. The Home Secretary,
State of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
2. The Director General of Police,
Police Head Quarters,
Chennai - 600 004.
3. The Superintendent of Police,
Nagapattinam District,
Nagapattinam

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