

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH.J

WP.No.24042 of 2015

&

M.P.Nos.1 & 2 of 2015

K.Karthikeyan

..Petitioner

Vs.

1. The State of Tamil Nadu
Rep. By its Secretary to Government
Home Department
Secretriare, Fort St. George
Chennai - 600 009
2. The Commissioner of Police
Commissioner's Office
Vepery, Chennai - 600 010
3. The Joint Commissioner of Police
South Zone
St. Thomas Mount
Chennai - 600 016
4. The Assistant Commissioner of Police
Pallavaram Range
Pallavaram, Chennai
5. The Inspector of Police
S.D13, Chrompet Police Station
Chrompet, Chennai

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to give police protection to the petitioner for his life.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The present writ petition has been filed for issuance of a writ of mandamus to give police protection for his life.

2. The petitioner is the President of Pallavaram Tannery Association and is also running a leather company in the name of "K.K.International Manufacturing Leather". The petitioner is also a State Organizing Secretary of Sivasena Political Party. Previously, he was a member of Hindu Maha Sabha. The petitioner states that in and around Pallavaram and Nagalkeni, some rowdy elements under the leadership of one Karuna @ Karunakaran, used to demand 'mamool' from the Tannery owners and hence, the petitioner lodged a complaint as against Karuna @ Karunakaran before the police higher officials. The said Karuna @ Karunakaran was also convicted in a murder case and he was sentenced to two life imprisonment and subsequently, he was granted bail by the Hon'ble Supreme Court. Even thereafter, he used to collect 'mamool'. The petitioner has filed a petition for cancellation of bail and the Hon'ble Supreme Court has also cancelled the bail. Since the petitioner took steps to cancel the bail, the said Karuna @ Karunakaran attempted to murder the petitioner. Apart from that, one Kutty @ Ramadoss, who is being induced by Karuna @ Karunakaran, is roaming in and around petitioner's industries demanding 'mamool'. Hence, the petitioner once again lodged a complaint and he was detained under Act 14 of 1982 and branded as "Goonda". It is further submitted by the petitioner that Pallavaram Tannery Association was using the public pathway in Survey No.185/2A, 2B etc., for several years and the said pathway was encroached by Tamil Nadu Muslim Munnetra Kalagam members. Hence, the petitioner, as the President of the said Association, has lodged a complaint before Shankar Nagar Police Station. A criminal case was registered and the said case was referred to Revenue Divisional Officer for enquiry and the said proceedings was ended in favour of the petitioner. The office bearers of the said Kazhagam, taking revenge against the petitioner, started threatening and criminally intimidating the petitioner. In this regard, the petitioner gave several complaints and based on the said complaints, the petitioner was given police protection by the police authorities for the past 1 year from 09.07.2014 to 14.04.2015. But, suddenly the police withdrew the police protection without any reason when the petitioner objected the "Thali Removing Agitation" conducted by the Dravidar Kalagam. Hence, the petitioner came forward to file the present writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. The learned Additional Public Prosecutor submitted that since the petitioner was arrested by the police, the police protection given to him was withdrawn. However, if the petitioner gives fresh representation, the same will be considered by the fourth respondent.

5. The petitioner has already given a complaint on 25.06.2015. Considering the rival submissions, this Court directs the petitioner to give a fresh representation in detail to the fourth respondent with regard to providing of police protection to him within a period of one week from the date of receipt of a copy of this order and on receipt of such representation, the fourth respondent is directed to consider the same on merits and pass appropriate orders in accordance with law, preferably within a period of two weeks thereafter.

6. The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. Secretary to Government
Home Department
Secretariate, Fort St. George
Chennai - 600 009
2. The Commissioner of Police
Commissioner's Office
Vepery, Chennai - 600 010
3. The Joint Commissioner of Police
South Zone
St. Thomas Mount
Chennai - 600 016
4. The Assistant Commissioner of Police
Pallavaram Range
Pallavaram, Chennai

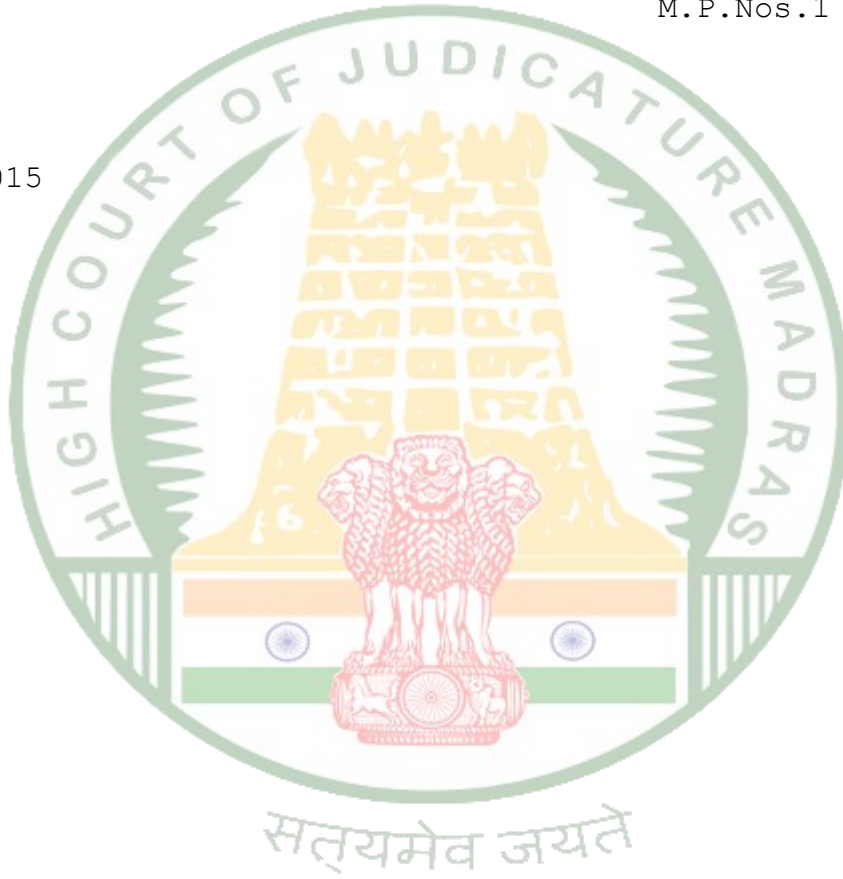
5. The Inspector of Police
S.D13, Chrompet Police Station
Chrompet, Chennai

6. The Public Prosecutor
High Court, Madras

+1 cc ot Mr.D.Rajagopal Advocate sr.63056

WP.No.24042 of 2015 &
M.P.Nos.1 & 2 of 2015

kji(co)
aa24/11/2015



WEB COPY