

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.37525 of 2015

G.G.Ravi

... Petitioner

Vs

1. The Secretary to Government,
Home Department,
Government of Tamil Nadu,
Fort St.George,
Chennai -9.
2. The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Road,
Mylapore,
Chennai - 4.
3. The Superintendent of Police,
Vellore.
4. The Inspector of Police (Law & Order),
North Police Station,
Vellore.

... Respondents

Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 18.09.2015 and to provide adequate armed police protection round the clock as required to the petitioner who has got threat perception from the rowdy elements.

For Petitioner : Mr.E.C.Ramesh

For respondent : Mr.P.Sanjay Gandhi
Additional Government Pleader.

O R D E R

This petition has been filed to issue a Writ of Mandamus to direct the respondents to consider the petitioner's

representation dated 18.09.2015 and to provide adequate police protection.

2. The petitioner herein is residing at No.1, Vaithiya Vasudevan Street, Vellore-4, right from his childhood. After completion of his school education, he was looking after his family business of milk production. He started an Engineering College in the name and style of GGR Engineering College in the year 2001 at Pillayarkuppam, Vellore. The petitioner is serving for the general public without any expectation. The petitioner is also owning a lodge in Vellore. He is a public person working all the time for the cause of public. The petitioner has been elected as an opposite party leader of Vellore Municipal Corporation during 2006-2011. On 5.9.2015, he performed obeisance and started the procession of devotees carrying the idols of Lord Krishna on Vellore-Chittor Main Road at Thottapalayam and proceeded to the other side of the road to board the car. At that time, a group of criminals, headed by the deceased Maha @ Mahalingam, Kuppan and another accused by name Kuppan, attempted to hack the petitioner to death by knife. The person who accompanied the petitioner namely, AKS.Ravi, Suresh, Annamalai, Muthu and Rajkumar and others intercepted to save the petitioner's life. One of the blows aimed by the deceased Maha @ Mahalingam at the petitioner's head was blocked by AKS Ravi which caused severance of his fingers but landed on the petitioner's head causing an extensive incised wound. Another blow aimed at his neck was ward off but his fingers and the left cheek were injured. The attempt of murder of the petitioner took place in front of hundreds of persons and the spectators joined together in order to protect the petitioner's life and the accused persons escaped from the scene of occurrence. The said occurrence had taken place around 8.00 to 8.15 p.m. A complaint was lodged with the respondent police and the same was registered in Crime No.545/2015 for the offence under section 307 IPC. On hearing the incident, the petitioners two sons left home at 8.36 p.m. and the petitioner's brother's sons left home at 8.40 p.m. and reached hospital around 8.45 p.m. where the petitioner was admitted. Thereafter, the petitioner's two sons visited the occurrence place, where the dead body of the deceased Maha @ Mahalingam was found on the road. Emotionally, the petitioner's two sons had thrown stones on the dead body of Maha @ Mahalingam. Someone captured photos and based upon the photos, the petitioner's two sons and other brother's sons were arrested by the local police. After the said incident, the petitioner made several representations to the respondent police for protection to his life. Since the same was not considered, the present petition has been filed.

3. A detailed counter has been filed by the 3rd respondent stating that on 05.09.2015, the petitioner attended Krishna Jayanthi religious function in Vellore. At that time, the life convict Maha @ Athiradimaha @ Mahalingam tried to stab the petitioner, in which, the petitioner narrowly escaped. The said Maha @ Mahalingam was facing more than 12 murder cases, out of which, one case related to murder of John Sekar, who was a public relation officer of Christina Medical College Hospital, Vellore. He was murdered in front of his wife and son. Therefore, the petitioner is facing serious life threat from various anti social elements. Due to business rivalry, the petitioner's brother G.G.Ramesh was murdered by the accused person. The petitioner himself is involved in more than 11 criminal cases. He is having very bad antecedents. Therefore, there is no need to give police protection to the petitioner.

4. When the matter is taken up for consideration, learned counsel for the petitioner made his submissions reiterating the averments made in the affidavit. Learned Additional Government Pleader vehemently opposed the grant of the prayer sought for by the petitioner.

5. Irrespective of the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner directs the 3rd respondent police to consider the representation of the petitioner on merits by affording an opportunity of personal hearing to the petitioner and pass appropriate orders with regard to providing police protection, within a period of two weeks from the date of receipt of a copy of this order. It is made clear that this Court is not giving any opinion with regard to the merits of the claim made by the petitioner. It is for the third respondent to consider the representation of the petitioner purely on merits.

6. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

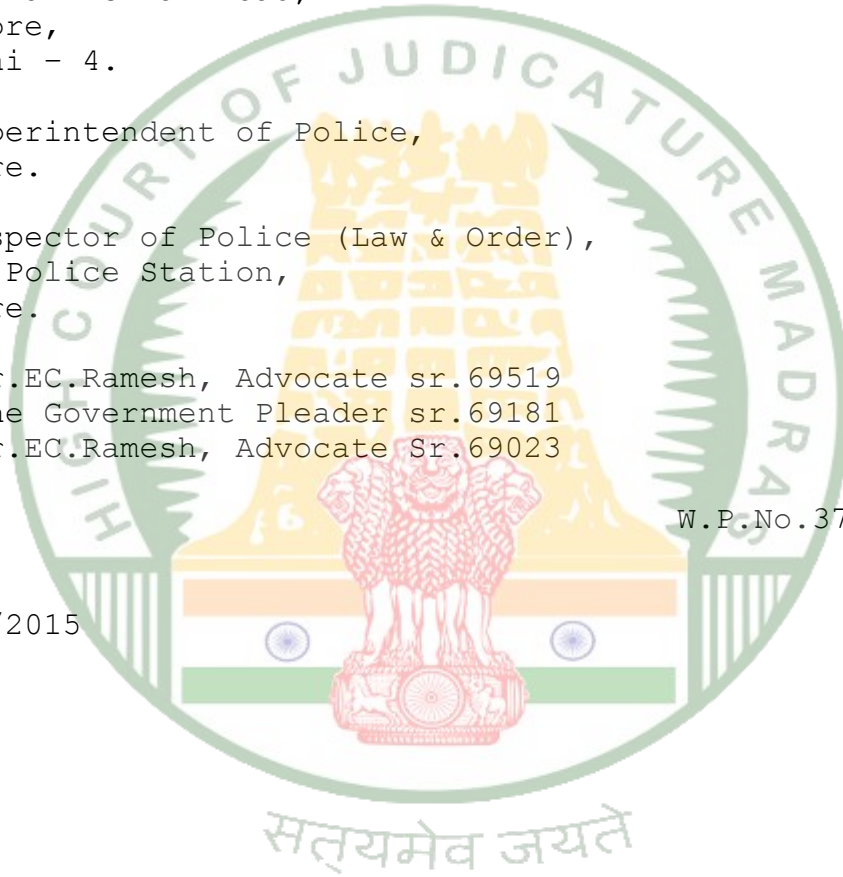
To

1. The Secretary to Government,
Home Department,
Government of Tamil Nadu,
Fort St.George,
Chennai -9.
2. The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan Road,
Mylapore,
Chennai - 4.
3. The Superintendent of Police,
Vellore.
4. The Inspector of Police (Law & Order),
North Police Station,
Vellore.

+2cc to Mr.EC.Ramesh, Advocate sr.69519
+1cc to The Government Pleader sr.69181
+1cc to Mr.EC.Ramesh, Advocate Sr.69023

W.P.No.37525 of 2015

vs[co]
srg 28/12/2015



WEB COPY