



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.01.2015
CORAM:

THE HONOURABLE MR.JUSTICE S.TAMILVANAN
and
THE HONOURABLE MR. JUSTICE V.S.RAVI

W.A.(MD)No.1500 of 2014

P.Selvaraj ... Appellant / Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Superintendent of Police,
Dindigul District, Dindigul.

3.The Tahsildar,
Dindigul West Taluk, Dindigul.

4.The Inspector of Police,
Reddiarchathram Police Station,
Dindigul District.

... Respondents / Respondents

PRAYER: The Writ Appeal is filed under Clause 15 of the Letters Patent, against the order passed by this Court in W.P.(MD)No.8093 of 2014 dated 12.09.2014.

Prayer in WP(MD). 8093/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the a Respondent s 1 to 4 provide adequate police protection to conduct the prayer meetings without any hindrance

For Appellant : Mr.A.John Vincent

For Respondents : Mr.B.Pugalendhi, Spl.G.P.

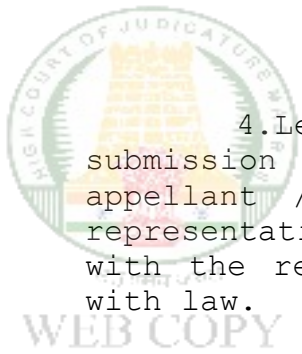
JUDGMENT

(Judgment of this Court was delivered by **S.TAMILVANAN,J.**)

Heard the learned counsel appearing for the appellant as well as the learned Special Government Pleader appearing for the respondents.

2.The Writ Appeal has been preferred challenging the order dated 12.09.2014 passed by this Court in W.P.(MD)No.8093 of 2014.

3.It is seen that the Writ petition was filed by the appellant herein seeking a prayer for issuance of a Writ of Mandamus, directing the respondents 1 to 4 therein to provide adequate police protection to conduct prayer meeting without any hindrance.



4.Learned Single Judge has passed the order after considering the submission made by both the learned counsel whereby, permitted the appellant / petitioner to approach the respondent Police by way of representation and if such a representation is made or already available with the respondent Police, the same shall be considered in accordance with law.

5.It is brought to the notice of this Court that the premises was locked by the 3rd respondent / Tahsildar, Dindigul West Taluk and to break open the lock, there is no mandatory relief sought for by the petitioner for the reason best known to him.

6.Learned Special Government Pleader appearing for the respondents submits that to prevent law and order problem, the premises was locked by the third respondent.

7.As it is not the subject matter to be decided in the Writ petition, we need not discuss anything about the locking of the premises by the third respondent. When the premises is under lock and key by the third respondent, without seeking proper relief, the petitioner filed the Writ petition seeking Police protection for conducting prayers, is not maintainable. Though it could be a consequential relief and further, the learned Single Judge by the impugned order has not dismissed the Writ petition, but, only permitting the petitioner to approach the authority by way of making representation. However, this Writ Appeal has been preferred as if the petitioner is an aggrieved party by the impugned order.

8.Having considered the impugned order, the averments made in the Writ petition and the submissions made by the learned counsel on both sides, we are of the view that there is no legal grievance to maintain the Writ Appeal.

9.In the result, the Writ Appeal is dismissed. However, the petitioner is at liberty to approach the authorities for redressal. No costs.

Sd/-

Assistant Registrar(T & P)

\\True copy\\

Sub Assistant Registrar

To

- 1.The District Collector,Dindigul District, Dindigul.
- 2.The Superintendent of Police, Dindigul District, Dindigul.
- 3.The Tahsildar,Dindigul West Taluk, Dindigul.
- 4.The Inspector of Police,Reddiarchathram Police Station,
Dindigul District.

+1cc to the SPL.GOV.T.PLEADER SR.NO.196

+1CC to MR.A.JOHN VINCENT ADVOCATE SR.NO.47

W.A. (MD)No.1500 of 2014
05.01.2015