



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Writ Petition (MD)No.18806 of 2014

Rev.R.Vijayakumar
S/o.Ritchard,
General Treasurer of India Evangelical Lutheran Church,
Nagercoil,
Kanyakumari District.

... Petitioner

Vs.

1. The Director General of Police,
Santhome High Road,
Chennai.
2. The Superintendent of Police,
Nagercoil, Kanyakumari District.
3. The Inspector of Police,
Nesamani Nagar Police Station,
Nagercoil,
Kanyakumari District.

4. Baulsundar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, to direct the second and third respondents to conduct a detail enquiry and give sufficient police protection to the petitioner and other office bearers to discharge their functions in the IELC office and take suitable action based upon the petitioner's representation dated 10.11.2014 and to consider the same.

For Petitioner : Mr.D.Saravanan
For Respondents 1to 3 : Mr.M.Murugan
Government Advocate

O R D E R

This petition has been filed seeking enquiry and sufficient police protection based on the petitioner's representation dated 11.11.2014.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the



respondents 1 to 3 and perused the records carefully.

3. The learned counsel for the petitioner submitted that the petitioner and other office bearers are the elected members of the trust and they need police protection to discharge their functions in the IELC trust office.

4. Based upon the counter affidavit filed on behalf of the third respondent, the learned Government Advocate submitted that there is an interesting dispute between the various members of the trust. Therefore police could not conduct any enquiry into the said dispute of the internal matters of the trust. The dispute is also pending before the Revenue Divisional Officer, Nagercoil.

5. Therefore the respondents are not interfering the same, when there is a dispute within the trust, the remedy for them is to approach a Civil Court and not by filing this Writ Petition. This court cannot decide inter-se dispute.

6. This petition stands dismissed with liberty to the petitioner to work out his remedy to appear before the appropriate forum in accordance with law. No Costs.

SD

ASST REGISTRAR - T AND P

TRUE COPY

SUB ASST REGISTRAR

PJL

To

1. The Director General of Police,
Santhome High Road,
Chennai.
2. The Superintendent of Police,
Nagercoil, Kanyakumari District.
3. The Inspector of Police,
Nesamani Nagar Police Station,
Nagercoil,
Kanyakumari District.

1CC TO MR. D. SARAIVANAN ADV SR: 32618

DM 6 7 15

2P; 5C

W.P. (MD) No. 18806 of 2014
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