

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.05.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.18260 of 2016 and

W.M.P.No.15983 of 2016

Alhaj D.M.Mohammed Ishaq
Founder and Chairman,
Asad Educational Trust,
No.66, Pattamangala Street,
Mayiladuthurai,
Nagapattinam District. ... Petitioner

Vs.

- 1.The Superintendent of Police,
Nagapattinam District, Nagapattinam.
- 2.The Deputy Superintendent of Police,
Mayiladuthurai - 609 001.
Nagapattinam.
- 3.S.A.Iqbal
- 4.M.A.Mohammed Siddique ... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to provide police protection to the Azad Girls Matriculation School, Tharangambadi Road, Mayiladuthurai, Nagapattinam District run by the petitioner's trust, viz., Azad Educational Trust so as to enable the petitioner to run the school peacefully based upon his representation dated 29.04.2016.

For Petitioner : Mr.R.Sankarasubbu
for M/s.M.Seeni Sulthan

For Respondents 1 & 2 : Mr.P.Sanjay Gandhi
Additional Government Pleader

O R D E R

The prayer in the writ petition is to direct respondents 1 and 2 to provide police protection to the Azad Girls

Matriculation School, Tharangambadi Road, Mayiladuthurai, Nagapattinam District, as per the representation of the petitioner dated 29.04.2016.

2. The case of the petitioner is that he is the Founder and Chairman of Azad Educational Trust, registered as Doc.No.44 of 2003 and the Trust is running a school in the name of Azad Girls Matriculation School and there are 860 girl students studying from LKG to 12th Standard. It is alleged that some of the trustees have swindled money, so they have been expelled from the Trust by Resolutions dated 28.02.2012 and 30.12.2014 and the expelled trustees are indulging in illegal activities by engaging rowdy elements.

3. The petitioner would state that the admission for the next academic year has already commenced and the safety of the students, staff and other employees are at stake. Therefore, he preferred a representation dated 29.04.2016 to the respondents 1 and 2 seeking police protection. Since no order has been passed, the present writ petition has been filed.

4. Mr.R.Sankarasubbu, learned counsel for the petitioner would submit that the respondents 3 and 4 are only private parties and the petitioner is not seeking any relief against them and that the representation of the petitioner has to be considered by the respondents 1 and 2. It is further submitted that the petitioner is ready to bear the cost of providing police protection.

5. Mr.P.Sanjai Gandhi, learned Additional Government Pleader, on instructions, would submit that there is no law and order problem in and around the school premises and if there is any complaint by the petitioner, the respondents 1 and 2 will take action as per law.

6. Considering the above submissions, this writ petition is disposed of directing the 2nd respondent to consider the representation of the petitioner dated 29.04.2016 and pass orders, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

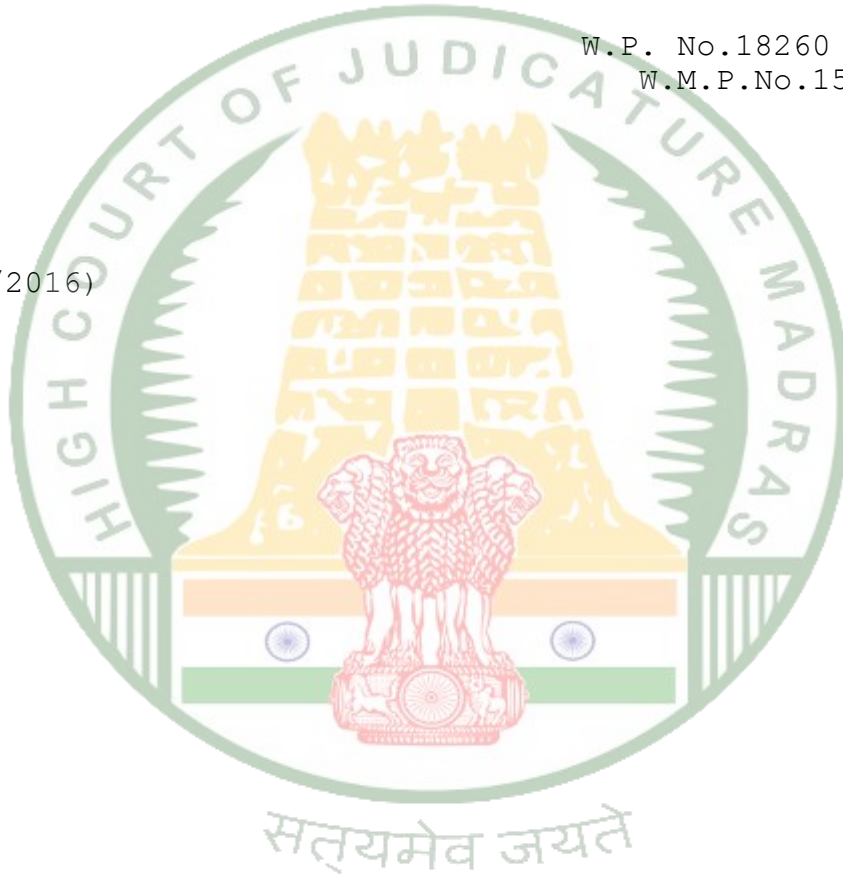
1.The Superintendent of Police,
Nagapattinam District, Nagapattinam.

2.The Deputy Superintendent of Police,
Mayiladuthurai - 609 001.
Nagapattinam.

+lcc to Mr.M.Seeni Sultan, Advocate sr.28646

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ksj (CO)
srg (24/05/2016)



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