

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.12.2016
CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 43950 of 2016

Shehkinah Assembly Church
rep. By its Senior Pastor
A. Samuel Aron

..Petitioner

Vs.

1. The Inspector of Police
Namakkal Town Police Station
Namakkal
Namakkal District.

2. Samuel

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to give adequate police protection to the petitioner's church on the basis of the complaint lodged by the petitioner on 27.11.2016 and to pass further orders.

For Petitioner : Mr. C. Prakasam

For Respondents : Mr. R. Rajeswaran,
Spl.G.P for R1

No Appearance for R2

सत्यमेव जयते
O R D E R

Heard Mr. C. Prakasam, learned counsel for the petitioner and Mr. P. Rajeswaran, Special Government Pleader for the first respondent.

2. By consent, the writ petition itself is taken up for final hearing, in view of the limited prayer.

3. The petitioner has come up with the present writ petition praying to direct the 1st respondent to give adequate police protection to the petitioner's church on the basis of the complaint lodged by the petitioner on 27.11.2016.

4. Learned counsel for the petitioner submitted that the petitioner is the senior Pastor of the petitioner Church and since the 2nd respondent and his men, disturbed the peaceful functioning of the Church, he filed a suit in O.S.No.81 of 2016 before the District Munsif Court, Namakkal, seeking for permanent injunction. Since the 2nd respondent and his 7 men did not appear, an ex-parte decree was passed against them on 21.09.2016, granting permanent injunction. However, the 2nd respondent continued disturbing the devotees of the Church. Hence, the petitioner lodged a complaint on 27.11.2016 before the 1st respondent and also sought for police protection but the 1st respondent did not consider the same. Aggrieved by the same, the petitioner is before this Court.

5. Learned Special Government Pleader submitted that the complaint of the petitioner is vague and the name of the person who is disturbing the functioning of the Church is not given and so the representation was not considered.

6. Considering the facts and circumstances of the case and the submission of the learned Special Government Pleader, this Court is not inclined to entertain the writ petition and hence the same is dismissed. However, liberty is granted to the petitioner to submit a fresh representation to the first respondent, along with the relevant details. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

avr

To
The Inspector of Police
Namakkal Town Police Station
Namakkal District.

+1 cc to Mr.C.Prakassam Advocate sr 76228
+1 cc to Government Pleader sr 76300

W.P. No. 43950 of 2016

sv(co)
aa06/02/2017