



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2016

CORAM:

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

W.P (MD) No.23824 of 2016

and

WMP (MD) No.17165 of 2016

R.S.Karikala Chozhan

... Petitioner

-vs-

1. The State of Tamil Nadu,
Represented by the Home Secretary,
St. George Fort,
Chennai-9.

2. The District Collector,
Thanjavur District,
Thanjavur.

3. The Inspector General of Police,
Trichy, Trichy District.

4. The Deputy Inspector General of Police,
Thanjavur, Thanjavur District,

5. The Superintendent of Police,
Thanjavur Rural,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 5th respondent to provide a Police Escort to the petitioner continuously and on the basis of his representation, dated 28.11.2016.

For Petitioner : Mr.E.Somasundaram

For Respondents : Mr.K.P.Krishnadoss
Government Advocate

**ORDER**

The writ petition has been filed for issuance of a Writ of Mandamus, directing the 5th respondent to provide a Police Escort to the petitioner, continuously on the basis of his representation, dated 28.11.2016.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The learned counsel appearing for the petitioner would submit that the petitioner is a social worker and he joined in the National Congress Party and he has been acting as 'Tamil Nadu State General Secretary' for many years and he made agitation against the Government Transport Buses and the Private Bus owners for plying their buses on their own and made representations to the higher officials and that he has also made a representation to the Director of CBI, Delhi, to take action against the Divisional Manager, Trichy Railways, for having disproportionate assets beyond his income.

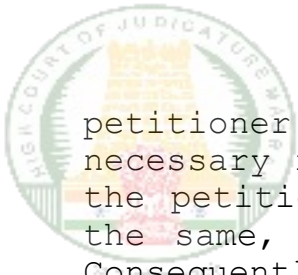
4. It is further submitted that the petitioner had contested in the Thanjavur Constituency by-election and he brought to the Election Commission and the police officials about the violation of the Election Code by the political parties and due to which, there was a strong grudge against the petitioner and hence, the petitioner made a representation to the police officials about his endanger, seeking Police Escort on 18.11.2016 and after giving escorts, suddenly, it was withdrawn on 26.11.2016, therefore, the petitioner made a representation on 28.11.2016 to give police escort continuously. Since, there is no response from the 5th respondent, he has come before this court seeking the relief as state above.

5. The learned Government Advocate appearing for the respondents would submit that considering the case of the petitioner, police protection was given to the petitioner for some time and since there was no necessity to continue the escort, it was withdrawn on 26.11.2016 and hence, the petition filed by the petitioner is not maintainable in law. Therefore, the petition is liable to be dismissed.

6. It is seen from the records that the petitioner was a politician and he contested in the Thanjavur Constituency by-election. The petitioner has not stated any specific incident occurred to him, in order to give police protection continuously. Further, the petitioner has not preferred any complaint against any person or group of persons before any police station. In view of the above stated position, this court is of the considered view that the petitioner is not entitled for permanent police protection. Hence, the relief sought for by the petitioner cannot be granted.

<https://hcservices.ecourts.gov.in/hcservices/>

7. Hence, this petition is dismissed with liberty to the



petitioner to approach the respondents police, whenever there is necessary for a particular incident and if any petition is filed by the petitioner, the 5th respondent police is directed to dispose of the same, purely on merits and in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

WEB COPY

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

1. The Home Secretary,
St. George Fort,
Chennai-9.
2. The District Collector,
Thanjavur District,
Thanjavur.
3. The Inspector General of Police,
Trichy, Trichy District.
4. The Deputy Inspector General of Police,
Thanjavur, Thanjavur District,
5. The Superintendent of Police,
Thanjavur Rural,
Thanjavur District.
6. The Government Advocate,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.E.SOMASUNDARAM, ADVOCATE IN SR No. 83280
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 83476

ER
TE/EM/SAR-III : 11/01/2017 : 3P/9C

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