

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2017

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THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.38112 of 2016

and

WMP.No.32667 of 2016

Hindustan Petroleum Corporation Limited
rep. by its Chief Regional Manager,
Trichy Retail Regional Office ... Petitioner

Vs

1. The Director General of Police,
Puducherry Police,
No.2, Dumas Street, White Town,
Puducherry - 605 001.
2. The Superintendent of Police,
Puducherry South,
Puducherry.
3. The Inspector of Police,
Karikalambakkam Police Station,
Pondicherry.
4. K.Sudha ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the respondents 1 to 3 to afford police protection to the petitioner's retail outlet at S.No.52/15, Karikalambakkam Village, Puducherry from the miscreants/henchmen of the fourth respondent.

For Petitioner : Mr.M.Vijayan for
M/s.King and Partridge

For R1 to R3 : Mr.M.R.Thangavel, APP (Pondy)

For R4 : Mr.S.C.Vishvanath

ORDER

The prayer made in the writ petition is to issue a writ of Mandamus, directing the respondents 1 to 3 to afford police

protection to the petitioner's retail outlet at S.No.52/15, Karikalambakkam Village, Puducherry from the miscreants/henchmen of the fourth respondent.

2. This Court, by order dated 02.12.2016 in WMP.No.32667/2016 in WP.No.38112/2016, has granted an interim order, directing the Special Superintendent of Police (L&O), Pondicherry to provide police protection to the officials of the petitioner's company for taking charge of the petrol bunk and running the business and if there is any interference by Mr.Deivasigamani, Superintendent of Police, Puducherry-south, it is open to the petitioner to submit a representation to the Lieutenant Governor, Puducherry to take appropriate action.

3. Today, when the matter came up for hearing, it is brought to the notice of this Court that as against the said interim order, the fourth respondent herein has filed an appeal in W.A.No.1611 of 2016 before the Division Bench of this Court, which, by order dated 12.12.2016, disposed of the said writ appeal with the following observations:

"4.This arrangement will operate based on an undertaking of the learned counsel for the appellant that in case respondent no.1/Corporation was successful in obtaining the relief sought for in its application under Section 17 of the 1996 Act, the appellant would hand over the peaceful possession of the petrol bunk within one (1) week of the passing of the order.

4.1.Learned counsel for respondent no.1/Corporation is agreeable to the aforesaid direction being issued.

4.2.Accordingly, no further steps will be taken by respondent no.1/Corporation to precipitate the matter further, in line with the liberty granted by the learned single judge, in terms of the observation contained in paragraph 4 of the order dated 02.12.2016."

4. In view of the above, no further order is necessary in this writ petition. Hence, recording the same, this Writ petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar (CS-IV)

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Sub-Assistant Registrar

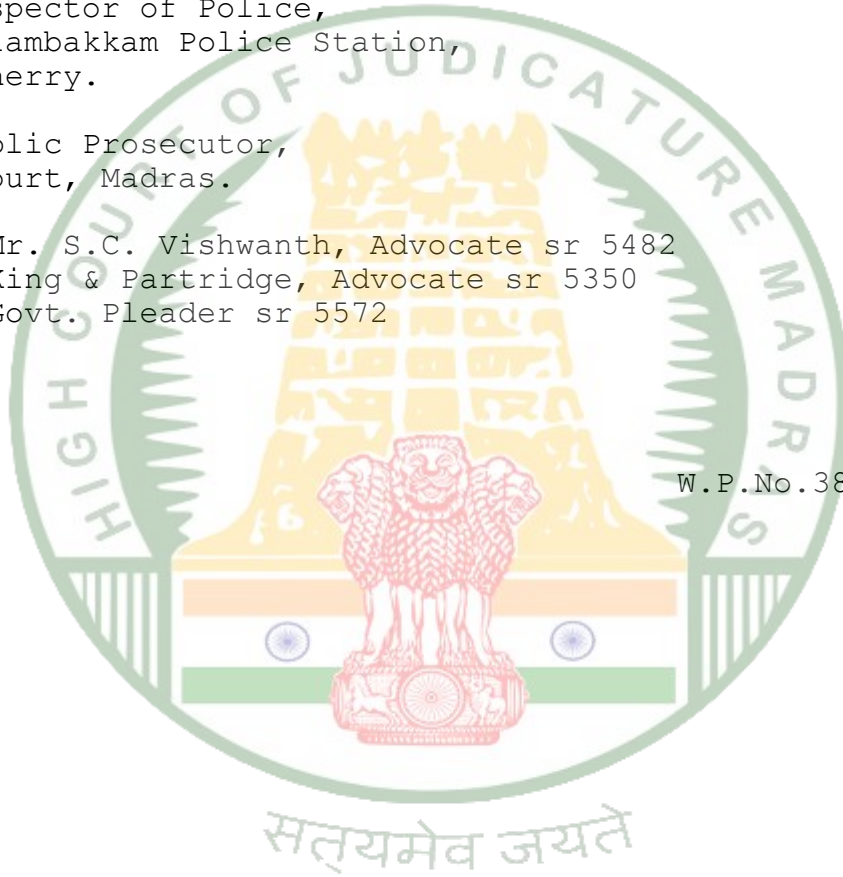
To

1. The Director General of Police,
Puducherry Police,
No.2, Dumas Street, White Town,
Puducherry - 605 001.
2. The Superintendent of Police,
Puducherry South,
Puducherry.
3. The Inspector of Police,
Karikalambakkam Police Station,
Pondicherry.
4. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr. S.C. Vishwanth, Advocate sr 5482
+1 CC to King & Partridge, Advocate sr 5350
+1 CC to Govt. Pleader sr 5572

W.P.No.38112 of 2016

RK(CO)
sp/17/2



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