



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.07.2017
CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.A.(MD)No.1010 of 2017
and
C.M.P.(MD).No.6903 of 2017

I.D.S.Abraham

... Appellant

Vs.

- 1.Rev.A.Jesu Nesapandian,
Manager,
T.D.T.A.Primary and Middle Schools,
Church of South India,
Diocese of Tirunelveli,
Diocesan Office,
No.5, Punithavadiyar Street,
Palayamkottai,
Tirunelveli District. ...First Respondent/Petitioner
- 2.The State of Tamil Nadu,
Rep. By its Secretary,
Department of Home,
Fort St. George,
Chennai.
- 3.The District Collector,
Tirunelveli District,
Tirunelveli.
- 4.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 5.The Deputy Commissioner of Police,
Commissioner of Police,
Tirunelveli,
Tirunelveli District.
- 6.The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli,
Tirunelveli District. Respondents 2 to 6/
Respondents 1 to 5



PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent, praying to set aside the order dated 05.07.2017 passed in W.P.(MD) No.12451 of 2017 on the file of this Court.

Prayer in WP(MD). 12451/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents No. 3 to 5 to provide adequate police protection for the life and limb of the petitioner and to the office of the petitioner to function as the Manager of the T.D.T.A School under the C.S.I Diocese of Tirunelveli within the time that may stipulated by this Hon'ble Court.

For Appellant	: Mr.T.R.Jeyapalam
For R1	: Mr.M.Ajmal Khan
	Senior Counsel for
	Ajmal Associates
For R2 to R6	: Mr.VR.Shanmuganathan
	Spl. Government Pleader

JUDGMENT

[Judgment of the Court was delivered by M.M.SUNDRESH, J.]

By consent, the writ appeal itself is taken up for final disposal.

2.Heard Mr.T.R.Jeyapalam, learned counsel appearing for the petitioner, Mr.M.Ajmal Khan, learned Senior Counsel appearing for the first respondent and Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the respondents 2 to 6.

3.This appeal is filed against the order of the learned Single Judge, who passed an interim order giving a direction to the second respondent herein to give police protection to the life and limb of the first respondent alone. Thus, no other protection has been given with respect to the Office.

4.The learned counsel for the appellant submitted that there is no issue with respect to the order insofar as the life and limb of the first respondent is concerned. However, the said order has been misconstrued by the School Authorities and on that basis approval given in favour of the appellant was cancelled.

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

5.We are afraid that the said issue cannot be a subject matter of the writ appeal. Accordingly, we do not find any error



in the order passed by the learned Single Judge. However, we make it clear that the order passed by the learned Single Judge is with respect to the life and limb of the first respondent alone and not otherwise with respect to the office of the respondents.

6. In such view of the matter, the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub-Assistant Registrar

To

1. The State of Tamil Nadu,
Rep. By its Secretary,
Department of Home,
Fort St. George,
Chennai.
2. The District Collector,
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Tirunelveli.
3. The Commissioner of Police,
Tirunelveli City,
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4. The Deputy Commissioner of Police,
Commissioner of Police,
Tirunelveli,
Tirunelveli District.
5. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli,
Tirunelveli District.

+One cc to Mr. T. R. Jeyapalam, Advocate, SR.No.68540

+One cc to M/s. Ajmal Associates, Advocate, SR.No.68570

+One cc to The Special Government Pleader, SR.No.69028

am/sss

RL/9C/3P/KK/SAR1/7/8/2017

W.A. (MD) No.1010 of 2017

27.07.2017