

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 27.06.2017****CORAM:****THE HONOURABLE MR.JUSTICE P.N.PRAKASH****WEB COPY****W.P. (MD) No.11789 of 2017**

M.Saki

: Petitioner

-Vs-

1. The Government of Tamil Nadu,
represented by its Chief Secretary,
Secretariat, Chennai.
2. The Director General of Police,
Santhome, Chennai.
3. The District Collector,
Kanyakumari District,
Nagercoil.
4. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
5. The Inspector,
Special Branch,
Superintendent of Police Office,
Nagercoil,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to ensure the safety and of the life of the petitioner's husband, namely Mr.Suyambulingam, from the hands of the police personals based on the petitioner's representation dated 20.01.2017.

For Petitioner : Mr.Ananth C.Rajesh
For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

O R D E R

When the matter was taken up for hearing, the learned Additional Government Pleader submitted that even admittedly there are seven cases pending against the petitioner and apart from that, warrants are pending in Crime No.158 of 2013 and Crime No.100 of 2011.



2. The learned counsel for the petitioner submitted that the petitioner has given a representation dated 20.01.2017, for which, the respondent police have not replied.

3. In the considered opinion of this Court, the respondent police are not duty bound to reply to all kinds of representation. Such a procedure is not contemplated in the Code of Criminal Procedure. Whenever warrant is issued, it is the duty of the police under the Code of Criminal Procedure to execute the same and produce the person before the Jurisdictional Magistrate. Under such circumstances, the prayer in the Writ Petition is misconceived and accordingly, the same cannot be considered. Hence, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Chennai.
2. The Director General of Police,
Santhome, Chennai.
3. The District Collector,
Kanyakumari District,
Nagercoil.
4. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
5. The Inspector,
Special Branch,
Superintendent of Police Office,
Nagercoil,
Kanyakumari District.

+1cc to Mr.Ananth C.Rajesh, Advocate Sr.No.62482

+1cc to Spl.Government Pleader Sr.No.62266

SML

VB/JC/SAR4/06.07.2017/2P/8C