

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.29881 of 2018

R.Raja

... Petitioner

Vs.

- 1.State of Tamil Nadu rep. by its
The Secretary to the Government,
Home, Prohibition & Excise Department,
Secretariat, Fort St. George,
Chennai.
- 2.The superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.
- 3.The Deputy Superintendent of Police,
Maduranthagam Police Station,
Maduranthagam,
Kancheepuram.
- 4.The Inspector of Police,
Melmaruvathur Police Station,
Melmaruvathur,
Kancheepuram District.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus and direct the respondents herein to dispose the petitioner representation made on 20.09.2018 directing the respondents 1 to 4 to provide adequate armed personal police security person.

For Petitioner : M/s.Vimal B.Crimson

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking for a direction to the respondent police to provide police protection to the petitioner.

2. The learned counsel for the petitioner would submit that the petitioner is a public spirited person, who is fighting against the removal of encroachments and he has also filed a petition in W.P.No.4797 of 2018, before this Court for removal of encroachments, over water bodies and the same is pending. The learned counsel for the petitioner would further submit that the petitioner has also filed a petition before this Court in CrI.O.P.No.8909 of 2018, seeking for police protection and this Court by an order dated 06.06.2018, directed the respondent police to maintain surveillance of the petitioner and his property. According to the learned counsel for the petitioner, even thereafter, there was an attempt to attack the petitioner and therefore, a representation was made to the respondent police on 20.09.2018, seeking for police protection. This representation is pending and therefore, the present writ petition has been filed before this Court.

3. There is already an earlier order passed by this Court in CrI.O.P.No.8909 of 2018, wherein the respondent police was directed to carry out the regular surveillance on the petitioner and his property.

4. The learned Additional Public Prosecutor would submit that the respondent police is conducting regular surveillance, pursuant to the order passed by this Court. According to the learned Additional Public Prosecutor, the respondent police do not see any potential life threat to the petitioner and constant vigil is maintained by the respondent police in this regard.

5. The relief as sought for by the petitioner cannot be granted by this Court. There is already a direction given by this Court on 06.06.2010, directing the respondent police to maintain surveillance and it has been done by the respondent police till date. The petitioner has submitted a representation dated 20.09.2018 to the respondent police seeking for police protection and indicating the grounds on which he is seeking for protection. This representation has been received by the respondent police.

6. The fourth respondent police is directed to consider the representation made by the petitioner and take a decision with regard to providing police protection to the petitioner, since he is already conducting regular surveillance based on the earlier order passed by this Court in CrI.O.P.No.8909 of 2018.

It is left to the fourth respondent to consider the representation made by the petitioner and take a decision, keeping in mind the facts and circumstances of the case and in accordance with law.

7. With the above direction, the writ petition stands disposed of.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

nmm/dss
To

1. The Secretary to the Government,
Home, Prohibition & Excise Department,
Secretariat, Fort St. George,
Chennai.
2. The superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.
3. The Deputy Superintendent of Police,
Maduranthagam Police Station,
Maduranthagam,
Kancheepuram.
4. The Inspector of Police,
Melmaruvathur Police Station,
Melmaruvathur,
Kancheepuram District.

+1 CC to M/s.Vimal B.Crimson, Advocate sr 7847

SP(27/11/2018)

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