

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.12.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.33232 of 2018

Saranya

... Petitioner

Vs

1. The State represented by its Secretary,
Home Department,
Fort St.George,
Chennai - 600 009.
2. The Director General of Police,
Kamarajar Salai,
Kailasapuram,
Mylapore, Chennai,
Tamil Nadu - 600 005.
3. Mr.Elango,
The Deputy Superintendent of Police,
Kotta Kuppm Division,
Thiruchittambalam Koottu Road,
Vaanur,
Villupuram District.
4. Mr.Thirumani,
The Inspector of Police,
Kotta Kuppm Police Station,
M.G.Road, Kotta Kuppm,
Vanur Tk, Villupuram District.
5. Mr.Manohar,
Sub-Inspector of Police,
Kotta Kuppm Police Station,
M.G.Road, Kotta Kuppm,
Vanur Tk, Villupuram District.
6. Mr.Sanjeev,
Sub-Inspector of Police,
Kotta Kuppm Police Station,
M.G.Road, Kotta Kuppm,
Vanur Tk, Villupuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 and 2 to take action against the erring policemen respondents 3 to 6 considering petitioner representation dated 30.10.2018.

For Petitioner : Mr.P.T.Perumal
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Writ Petition has been filed for a direction to consider the representation made by the petitioner and to take action against the respondents 3 to 6.

2. The learned counsel for the petitioner would submit that the petitioner and one Murugavel, who is an advocate practicing before this Court, fell in love and they got married on 18.09.2017. This marriage was not accepted by the parents and relatives of the petitioner. Earlier, there was a serious life threat to the petitioner and her husband and therefore they approached this Court seeking for police protection and this Court also granted police protection by an order dated 05.12.2017. In spite of the same, several attempts have been made by the relatives of the petitioner to some how take away this petitioner from her husband Murugavel.

3. The learned counsel also brought to the notice of this Court, the earlier FIR registered in Crime No.865 of 2018 against the husband of the petitioner and in Crime No.866 of 2018 against six known persons and fifteen others based on the complaint given by the petitioner.

4. The learned Counsel for the petitioner also brought to the notice of this Court that in spite of the protection order granted by this Court, the respondent Nos.3 to 6 are playing into the hands of the relatives of the petitioner and therefore on 11.11.2017, the relatives of the petitioner with the help of the police officials attacked the house of the petitioner's husband. That apart, on 25.10.2018, the petitioner's husband was again attacked by the paternal uncle of the petitioner. The CCTV footage of the entire incident was also removed and destroyed by the 6th respondent. The learned counsel would further submit that all attempts are being made to do away with the petitioner and her husband. In the meantime, the petitioner gave birth to a girl baby on 02.08.2018. The learned counsel would submit that the respondent police instead of taking action against the accused persons and giving protection to the petitioner and her husband, are playing into the hands of the

accused persons and thereby there is a very serious threat to the life of the petitioner and her family.

5. Left with no other option, the petitioner has given a detailed representation on 30.10.2018 to the first and second respondents seeking to take action against the respondents 3 to 6. Since no action has been taken on this representation, the present writ petition has been filed before this Court.

6. In the facts and circumstances of the case, this Court is of the considered view that immediate enquiry has to be conducted on the representation made by the petitioner by a police officer with a higher rank. The life of the petitioner, her husband and the toddler is involved and in view of the serious allegations made against the police, the same requires immediate action.

7. The superintendent of Police, Villupuram is directed to immediately consider the representation made by the petitioner on 30.10.2018 and conduct a detailed enquiry. Suitable action may also be taken against the erring officials. This process shall be completed by the superintendent of police, Villupuram, within a period of four weeks from the date of receipt of a copy of this Order. The petitioner is directed to send a copy of the representation dated 30.10.2018 along with a copy of this order to the superintendent of police, Villupuram, for further action.

8. Writ Petition is disposed of with the above directions.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

ub/arb

To

1. The State by it's Secretary,
Home Department, Fort St.George, Chennai - 600 009.

2. The Director General of Police,
Kamarajar Salai, Kailasapuram,
Mylapore, Chennai, Tamil Nadu - 600 005.

3. The Superintendent of Police, Villupuram.

+2cc to Mr.P.T.Perumal, Advocate, S.R.No.87323

W.P.No.33232 of 2018

CS/20/12/2018