



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2018

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WP (MD) No. 14092 of 2018

WEB COPY

K.K.Ramesh

... Petitioner

vs.

1. The Government of India,
Rep.by its Home Secretary,
Ministry of Home Affairs,
North Block, New Delhi.
2. The Government of Tamil Nadu,
Rep by its Home Secretary,
Fort St.George, Secretariat,
Chennai.
3. The Director General of Police,
Dr.Radhakrishnan Street, Chennai.
4. The Commissioner of Police,
Madurai City, Alagarkoil Street,
Madurai.
5. The Inspector of Police (L & O),
South Gate Police Station,
Madurai.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India, for issuance of a a Writ of Mandamus directing the 1st respondent to instruct the 2nd respondent to give police protection to the petitioner and his family members and not to foist false case and not to harass the petitioner in any manner by Tamil Nadu Government Officials by considering the petitioner's representation dated 26.06.2018.

For Petitioner	: Mr.K.K.Ramesh Party in person
For Respondent No.1	: No appearance
For Respondents 2 to 5	: Mr. K.Chellapandian, Additional Advocate General, Assisted by Mr.M.Rajarajan Government Advocate(Crl.Side)

O R D E R

this writ petition has been filed for a direction to the respondent police to give police protection to the petitioner and

his family members.

2.The petitioner appeared in person and submitted that he is a public spirited person and that he has filed various Public Interest Litigations, before this Court and the Hon'ble Supreme Court and has dedicated his life to the service of public, as a result of the same, he has earned many enemies and there is threat for his life and his family.

3.The petitioner also brought to the notice of the Court the representation dated 26.06.2018. It is on the basis of this representation the petitioner is seeking for police protection.

4.A counter affidavit has been filed by the fourth respondent, wherein the fourth respondent has taken a stand that there is no threat for life to the petitioner and a detailed enquiry was made, based on the representation dated 26.06.2018 made by the petitioner and it was found that there was no such a threat to the petitioner.

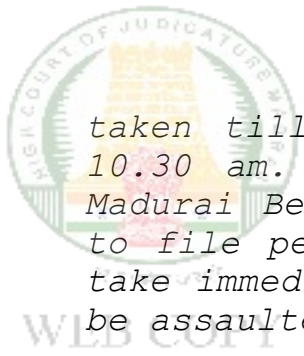
5.Mr.K.Chellapandian, learned Additional Advocate General, would submit that the petitioner has already approached this Court by filing WP(MD)No.19455 of 2017, for taking action, based on his representation dated 11.10.2017 and this Court by order dated 23.11.2017 closed the writ petition on the ground that there is no such threat as alleged in the writ petition.

6.The learned Additional Advocate General, brought to the notice of this Court the filing of Crl.OP(MD)No.11034 of 2018 by the very same petitioner, based on the very same representation dated 26.06.2018, to register a case. In the said Crl.OP, this Court had directed the respondent Police to file a status report and a status report has been submitted to the effect that the complaint given by the petitioner is false.

7.This Court has carefully considered the arguments advanced on either side and also the materials placed on record.

8.The present writ petition has been filed purely based on the representation dated 26.06.2018. The relevant portion of the representation, which forced the petitioner to file the present writ petition is extracted hereunder:

"12. I further submit that in the circumstances, on 25.06.2018, at about 8.00 pm, some 10 low grade Madurai Corporation Workers without permission entered my house and abused me and my wife using filthy language ransacked by goods kept in my house and tried to assault me and my wife without any valid reasons. Some of the neighbor house people assembled and made police 100 call at 8.25 pm. But, the Madurai South Gate Police came to my house at 9.30 pm and enquired what happened. But, no action was



taken till today. I further submit that on 26.06.2018 at about 10.30 am. I made a complaint with Hon'ble Madurai High Court, Madurai Bench, Principal Court and the Hon'ble Court directed me to file petition and directed the Additional Advocate General to take immediate action in this regard. My life is in danger. I may be assaulted at any time."

9.The representation speaks about the above said incident and the Criminal Original Petition was also filed to take action against the persons, who were involved in the above said incident. The above said incident does not warrant any police protection to the petitioner. The oral submission made by the petitioner in person with regard to the threat to his life and to his family members, does not form part of the representation dated 26.06.2018 and therefore, there is no ground to direct the respondent police to provide the petitioner with Police protection based on the representation dated 26.06.2018.

10.It is open to the petitioner to make a fresh representation to the second respondent explaining the facts and circumstances that warrant providing police protection to him. On such a representation being made by the petitioner, the second respondent shall independently consider the same and pass appropriate orders.

11.With the above observations, this writ petition is closed. No costs.

Sd/-

Assistant Registrar (Crl. Side)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Home Secretary to Govt. of India,
Ministry of Home Affairs,
North Block, New Delhi.
2. The Home Secretary to Govt. of Tamil Nadu,
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3. The Director General of Police,
Dr.Radhakrishnan Street, Chennai.
4. The Commissioner of Police,
Madurai City, Alagarkoil Street,



5. The Inspector of Police (L & O),
South Gate Police Station,
Madurai.

+1cc to Mr.K.K.Ramesh, Party in person, SR.No.77746

+1cc to Mr.D.Saravanan, Advocate SR.No.77697

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.77769

Dsk

MK/RP/SAR 2/23.08.2018/4P/9C

WP (MD) No.14092 of 2018

07.08.2018