

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.5392 of 2019

Nilgiris Industrial and General workers Union
Yellamalai Labour Association, Regd. Office at
No.85, Javaharpet, Coonoor, The Nilgiris,
Rep. by its President A.K.Khalid

...Petitioner

Vs.

1.The Inspector of Police,
Newhope Police Station,Gudalur Taluk,
The Nilgiris dt.

2.M/s.Mahavir Plantations Pvt. Ltd
Kerala State rep. by it Managing Director,
Sailesh T. Bansali. S/o T.A.Bhansali,

3.M/s.Mahavir Plantations Pvt. Ltd.,
Seaforth Estate, represented by its
Senior Manager, Seaforth Estate,
Seaforth Post, Gudlaur.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, directing the 1st respondent police to consider petitioner's representation dated 29.01.2019 and give necessary police protection.

For Petitioner : Mr.K.Lavan

For Respondent-1: Mr.E.Balamurugan
Special Government Pleader

ORDER

This Writ Petition has been filed by the petitioner to issue a writ of mandamus, directing the 1st respondent police to consider petitioner's representation dated 29.01.2019 and give necessary police protection.

2.The learned Special Government Pleader appearing for the 1st respondent police filed a counter and submitted that the

petitioner has not submitted any representation / complaint dated 29.01.2019 to the 1st respondent. He has only effected a complaint dated 05.02.2019 against B.Hasan, Rangaram, A.Moitheen Mesthiri, Sidharaj, C.Shariff, S.P.Majith, K.Anibha alleging that they are trying to take over the estate premises. On the complaint dated 05.02.2019, enquiry was conducted on 05.02.2019 itself and after due investigation, the petitioner submitted a letter stating that the issues pertaining to his complaint is already pending in civil dispute before the Hon'ble Supreme Court of India and he further requested to close the complaint. Based on the letter given by the petitioner, the complaint dated 05.02.2019 was closed.

3.The learned Special Government Pleader would further submit that the day to day affairs of the workers plucking the leaves in the said estate is going on peacefully and no police protection is required as on date, as claimed by the petitioner herein. Accordingly, prays for dismissal of this petition.

4.Considering the above submissions made by the learned Special Government Pleader, the prayer sought for in this writ petition cannot be considered now. It is also seen that the petitioner submitted a letter to withdraw his complaint dated 05.02.2019. Hence, this Court is not inclined to entertain this petition.

5.Accordingly, this Writ Petition stands dismissed.

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

kas/vsn

To

1.The Inspector of Police
Newhope Police Station, Gudalur Taluk,
The Nilgiris dt.

+1cc to Mr.K.Lavan, Advocate SR.No.22574

+1cc to Government Pleader SR.No.23630

W.P.No.5392 of 2019

VD(CO)

GMV(04/04/2019)