

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.14681 of 2014

Geetha

...Petitioner

Vs

1.The Government of Tamil Nadu
rep.by its Secretary
Department of Home
Fort St.George, Chennai-600 009.

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The Commissioner of Police,
Chennai City
Vepery, Chennai-600 007.

4.The Inspector of Police
T-13, Kundrathur Police Station,
Chennai-600 069.

...Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 21.03.2014 by granting police protection to the family of the petitioner to live peacefully in the petitioner's house without the harassment of local police T-13 Kundrathur Police Station, the fourth respondent herein.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.V.Shanmugasundar,
Special Govt.Pleader

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondents to consider the representation dated 21.03.2014 made by the petitioner to the

respondents 1 to 3 and grant police protection to the petitioner's family to live peacefully in the petitioner's house without any harassment by the fourth respondent Police.

2. According to the petitioner, a criminal case has been registered against the petitioner's husband by name Sathi @ Satyamurthy in Crime No.918 of 2003 under Sections 147, 148, 341, 324, 307 and 302 IPC, on the file of the fourth respondent Police. The police authorities are also intending to book him under the Tamil Nadu Act 14 of 1982 branding him as 'Goonda'. Since a criminal case has been filed against the petitioner's husband, the petitioner is being harassed by the fourth respondent, according to the petitioner. The petitioner made a representation dated 21.03.2014 to the respondents 1 to 3 to grant police protection to the family of the petitioner, but the same has not been considered. Hence this writ petition.

3. This Court admitted the writ petition on 06.06.2014.

4. A counter affidavit has been filed by the fourth respondent Police in which it is stated that in the year 2003, the petitioner's husband was involved in the brutal murder of one Thiru Anbu, who was the president of Sirugalathur Panchayat and hence a case in Crime No.918 of 2003 under Sections 147, 148, 341, 324, 363, 307 and 302 of IPC was registered, in which he was cited as A-8. The said case was charged and pending trial before the Sessions Court, Kancheepuram in S.C.No.89 of 2010. It is also stated that earlier, the petitioner's husband was involved in a kidnap case and a case in Crime No.252 of 2003 under Sections 147, 148, 324, 363, 427 and 506(ii) of IPC was been booked on the file of the fourth respondent Police Station and that he also got involved in a case booked on the file of the fourth respondent Police Station in Crime No.463 of 2013 under Section 399 IPC. Thus, History Sheet is maintained against the petitioner's husband. Pointing out the above, the learned Special Govt. Pleader has submitted that the relief sought for in this writ petition cannot be granted.

5. Heard the learned counsel on either side and perused the materials available on record carefully.

6. It is seen from the papers that a case has been booked against the petitioner's husband by name Sathi @ Satyamurthy in Crime No.918 of 2003 under Sections 147, 148, 341, 324, 307 and 302 IPC, on the file of the fourth respondent Police, for his alleged involvement in a brutal murder of one Anbu. He was also involved in many other crimes and hence a History Sheet has been maintained by the fourth respondent Police. The petitioner made

the representation to the Police Authorities to provide police protection, in the year 2014. Now, five years have elapsed. At this length of time, the prayer of the petitioner cannot be entertained by this Court. Hence the writ petition deserves to be dismissed and accordingly it is dismissed. No costs.

7.It is open to the petitioner to make any further representation, as permissible under law, to the concerned authorities.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

KM

To

- 1.The Secretary to Government
Government of Tamil Nadu
Department of Home
Fort St.George, Chennai-600 009.
- 2.The District Collector,
Kancheepuram District,
Kancheepuram.
- 3.The Commissioner of Police,
Chennai City
Vepery, Chennai-600 007.
- 4.The Inspector of Police
T-13, Kundrathur Police Station,
Chennai-600 069.

5. The Public Prosecutor,
High Court, Madras-104

+1cc to Mr.R.Sankarasubbu, Advocate SR.No.30617

+1cc to Government Pleader SR.No.31048

W.P.No.14681 of 2014

KK (CO)
GMY (30/04/2019)