



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE**W.P. (MD) No.10152 of 2019**
and W.M.P. (MD) .No.7880 of 2019

Abdul Rahim

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.2.The Deputy Superintendent of Police,
Kovilpatti Division,
Thoothukudi District.3.The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.

4.Mrs.Beema John

5.Mr.A.K.Mohamed Abubucker

6.Mr.Raja Hussain

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the 1 to 3 respondents to provide adequate police protection to the petitioner to perform Kovilpatti Masjid Thowheeth Mosque's day to day activities.

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for Mr.A.Mohamed Yusuf

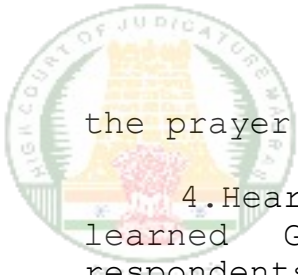
For Respondents : Mrs.S.Bharathi
Government Advocate for RR-1 to 3
For respondent No.4:Mr.Alagesan

ORDER

This writ petition has been filed to direct the respondents 1 to 3 to provide adequate police protection to the petitioner to perform Kovilpatti Masjid Thowheeth Mosque's day to day activities.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondents.

<https://hcservices.courts.gov.in/hcservices/>
The learned counsel appearing for the petitioner would submit that the petitioner faces life threat at the hands of the respondents 5 and 6. Hence, the petitioner has come forward with



the prayer for police protection.

4. Heard the learned counsel for the fourth respondent and the learned Government Advocate (Crl. Side) appearing for the respondents 1 to 3.

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5. The learned Government Advocate (Crl. Side) submitted that the fifth respondent has preferred a complaint against the petitioner, based on a cheque case, registered in Cr.No.143/2019 under Sections 194(b), 323 and 506(ii) I.P.C. She also added that the Investigating Officer has recommended for initiating an action under Section 107 Cr.P.C by the Executive Magistrate.

6. What the learned Government Advocate submitted that may not well address the threat perception of the petitioner.

7. In view of the above, the petitioner is directed to give a fresh complaint to the third respondent and on such fresh complaint, the third respondent is directed to enquire into the matter and take such appropriate decision as may be necessary to protect the life, liberty and right for prayers and to perform day-to-day activities of the Kovilpatti Masjid Thowheeth Mosque. It is made clear that this Court does not order granting of police protection 24 x 7 and the third respondent is left to decide on the basis of the objective assessment of the threat perception of the petitioner from time to time.

8. With the above direction, this writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

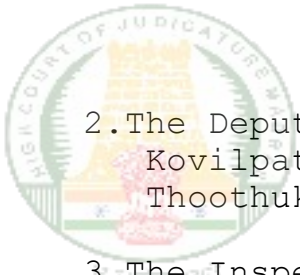
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Sub Assistant Registrar (CS)

vs

To

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.



2.The Deputy Superintendent of Police,
Kovilpatti Division,
Thoothukudi District.

3.The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.

+1 CC to M/s.K.VEILMUTHU, Advocate (SR-63878[F] dated 29/04/2019)

W.P. (MD) No.10152 of 2019

25.04.2019

DS/ /SAR- (03.05.2019) 3P 4C