



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SESHASAYEE**W.P. (MD) No.9935 of 2019**

WEB COPY

K.M.Hameed

Fathima Educational Trust-Managing Trustee

No.110, Yesubaktan Street,

Nesamani Nagar,

Nagercoil,

Kanyakumari District.

... Petitioner

Vs.

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. The Deputy Superintendent of Police,
Nagercoil,
Kanyakumari District.

3. The Inspector of Police,
Kottar Police Station,
Nagercoil

4. H.Habeeb Najjar

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the 1st respondent to direct the 3rd respondent to give adequate Police Protection to the life and limb of the petitioner, managing trustee of Fathima Educational Trust situated in Ward.No.46, Door.Nos.404 and 404A1, K.P.Road, Nagercoil by considering petitioner's representation dated 26/03/2019 within the period that may be stipulated by this Court.

For Petitioner : Mr.P.Yasmin Begum

For Respondents : Mrs.S.Bharathi

Government Advocate

ORDER

This writ petition has been filed to direct the 1st respondent to direct the 3rd respondent to give adequate Police Protection to the life and limb of the petitioner, Managing Trustee of Fathima Educational Trust situated in Ward.No.46, Door.Nos.404 and 404A1, K.P.Road, Nagercoil, by considering petitioner's representation dated 26.03.2019 within the period that may be stipulated by this Court.



2. The petitioner complains that he faces life threat from the fourth respondent/his son, who is running an Educational Institution. The petitioner further submits that he has moved the Civil Court in O.S.No.61 of 2011, in which, he has obtained an order of interim injunction against the fourth respondent.

3. Heard the learned Government Advocate (Crl. Side) appearing for the respondents.

4. In view of the above, the petitioner is directed to file a fresh representation to to the third respondent and on such fresh complaint, the third respondent is directed to enquire into the matter of the complaint filed by the petitioner and take such appropriate decision as may be necessary to protect the life, liberty and right to the property of the petitioner. It is made clear that this Court does not order granting of police protection 24 x 7 and the second respondent is left to decide on the basis of the objective assessment of the threat perception of the petitioner from time to time.

5. With the above direction, this writ Petition is disposed of. No costs.

sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.
2. The Deputy Superintendent of Police,
Nagercoil,
Kanyakumari District.
3. The Inspector of Police,
Kottar Police Station,
Nagercoil.

+1 CC to Mr.P.YASMIN BEGUM, Advocate (SR-62588[F] dated 25/04/2019)

W.P.(MD)No.9935 of 2019
25.04.2019

VS