



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2019

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD) .20671 of 2015

WEB COPY

M.Z.Rafeek

.. Petitioner

Vs.

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

2.The Inspector of Police,
Arumuganeri Police Station,
Tuticorin District.

3.Panneerselvam.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, for issuance of writ of Mandamus directing the respondents 1 and 2 to give police protection to the petitioner as well as the petitioner properties in Survey No.41/8 & 41/9 at Kayalpattinam Southern Village, Tuticorin District by considering the petitioner representation, dated 03.10.2015.

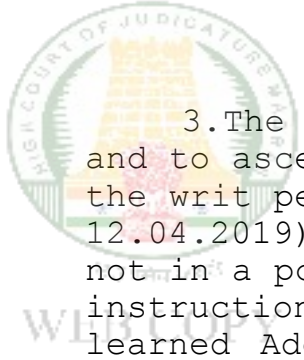
For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.R.Anandaraj for R1 and R2
Additional Public Prosecutor
Mr.R.Alagumani for R3

ORDER

This petition has been filed for issuance of writ of mandamus to issue a direction directing the respondents 1 and 2 to give police protection to the petitioner as well as the petitioner properties in Survey No.41/8 & 41/9 at Kayalpattinam Southern Village, Tuticorin District by considering the petitioner representation, dated 03.10.2015.

2.When the matter was taken up for hearing on 08.04.2019, the learned Additional Public Prosecutor on instructions from the respondent police submitted that the respondent police had enquired the petitioner and during the enquiry, he has stated that he has not filed any such writ petition before this Court. The statement recorded by the concerned Inspector of Police has also been produced before this Court.



3.The learned counsel for the petitioner seeks time to verify and to ascertain whether the petitioner is intending to proceed with the writ petition or not. Hence, the matter was posted today (i.e., 12.04.2019). Even today, the learned counsel for the petitioner is not in a position to explain whether the writ petition is filed with instructions or not, where as it is the specific stand of the learned Additional Public Prosecutor that the petitioner while he was enquired by the respondent police has given a specific statement that he has not filed any such writ petition. In view of the specific stand taken by the respondent police, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS-)

TM
To

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

2.The Inspector of Police,
Arumuganeri Police Station,
Tuticorin District.

+1 CC to Dr.R.ALAGUMANI, Advocate (SR-60925[F] dated 12/04/2019)
+1 CC to Mr.M.P.SENTHIL, Advocate (SR-60941[F] dated 15/04/2019)

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ES/14.06.2019/2P/5C