



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

W.P. (MD) No.18522 of 2017

Sree Swami Velmurugan

... Petitioner

Vs.

1.The Secretary to Government,
Home Department, Government of Tamil Nadu,
Fort St.George, Chennai.

2.The Director General of Police,
Head Quarters,
Mayilappur, Chennai.

3.The Inspector General of Police,
South Zone, Madurai.

4.The Superintendent of Police,
Madurai, Madurai District.

5.The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to consider petitioner's representation dated 04.08.2017 and to provide the Personal Security Officer with gun to save petitioner's life and limb.

For Petitioner	:	Mr.R.Balamurganantham
For Respondents	:	Mr.K.K.Ramakrishnan
		Additional Public Prosecutor

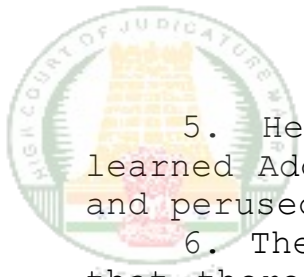
**ORDER**

This petition has been filed to provide Personal Security Officer with gun to save petitioner's life and limb.

2. The grievance of the petitioner is that he is interested in public welfare, and also interested in saving natural resources like water, land, sand, trees etc.,. He has involved in many protests in the interest of public welfare, against compulsory conversion of Hindu peoples to Christian, encroachments of the puramboku lands in Madurai and Theni Districts. Since the petitioner has involved in the public protest, there is a likelihood of threat from people belong to Muslim and Christian religion, and also from some politicians. Hence, he has filed a representation seeking police protection. Since the said representation has not been considered by the respondents, the petitioner has filed the present petition before this Court.

3. In the counter affidavit filed by the fifth respondent, it has been stated that the petitioner's native is Kodaliyuthu Village in Aandipatti Taluk, Theni District and temporarily he is residing at Ambasamudram Village, Thottappanayackanur Post, Usilampatti Taluk, Madurai District. He engaged in propagation of his organization ideologies and had organised meetings with his organization members. Threat perception of the petitioner is only illusionary and self explanatory. Earlier the petitioner has lodged a complaint against one Vinoth stating that the said Vinoth has abused and criminally intimidated the petitioner. Based on the complaint, a case in Crime No.114 of 2016 for the offences punishable under Sections 294(b) and 506(i) IPC has been registered on the file of the Usilampatti Taluk Police Station. Subsequently, after investigation the said complaint was closed as 'mistake of fact'. Earlier based on representation of the petitioner police protection from 19.04.2016 to 15.05.2016 was provided as per the instructions of the Superintendent of Police, Madurai District and since the complaint filed by the petitioner was found false, the police protection has been withdrawn.

4. That apart, an intelligence input received shows that the petitioner and his accomplice one Muneeswaran installed Vianayagar idol adjacent to Holy Cross alleged to have been encroached by Infant Jesus R.C.Church, and created breach of peace and hence, a proceedings under Section 107 Cr.P.C., has been initiated by the Revenue Divisional Officer cum Sub-Divisional Executive Magistrate, Usilampatti. Notice under Section 111 Cr.P.C., was served to the petitioner and one Munesswaran and proceedings is pending. It is further stated that as the police is taking various steps to maintain public peace and tranquillity in that services, courts govt.in/hse/csb/above circumstances, there is no necessity to give police protection to the petitioner.



5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the records.

6. The petitioner has sought police protection on the ground that there is a life threat to him as he has involved in various public agitations. But in the affidavit he did not disclose the alleged agitations conducted by the petitioner in the public interest. That apart already a complaint given by the petitioner alleging threat perception has also been enquired and closed by the respondent Police as 'mistake of fact'. Now proceedings under Section 107 Cr.P.C., has also been initiated against the petitioner by the Executive Magistrate and pending.

7. There is no material available on record to show that any serious life threat to the petitioner, considering the above circumstances, the relief sought for by the petitioner cannot be granted. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

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