

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

CWP-33092-2019

Date of Decision:-16.11.2019.

Suman Mahant

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR**

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Present: Mr. Abhishek Chha, Advocate for the petitioner.

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**SANJAY KUMAR, J. (Oral)**

The prayer of the petitioner in this case is to protect her life, liberty and property and to interdict the unofficial respondents from interfering with her performance of traditional/customary duties as a eunuch. She complains of inaction on the part of the police authorities of the State of Punjab upon her representation dated 23.10.2019 (Annexure P-7). However, perusal of the said representation demonstrates that the petitioner seeks interference by the police in seeks she claims to be her right to carry out traditional/customary duties as a eunuch of Dera Guru Nank Nagari, Malout.

Admittedly, the unofficial respondents are disputing the right claimed by the petitioner to perform such traditional/customary duties.

Without a competent civil Court rendering a declaration/decision as to the

petitioner's claimed right, it would not be open to her to seek protection

from the police authorities to give effect to such a right. The police authorities therefore cannot take any action based on the aforestated representation dated 23.10.2019 (Annexure P-7). The said representation as well this writ petition based thereon are utterly misconceived.

The writ petition is accordingly dismissed in *limine*. This order shall however not preclude the petitioner from approaching the jurisdictional police authorities in the event any criminal offence is committed warranting appropriate action being taken under the Indian Penal Code.

No order as to costs.

**(SANJAY KUMAR)**  
**JUDGE**

**November 16, 2019.**  
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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.