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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-34472-2019
Date of decision: 26.11.2019

Father Dominic T.F

.....Petitioner.

vs.

State of Haryana and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. A.P. Singh, Advocate for the petitioner.

.....

Sanjay Kumar, J. (ORAL)

Prayer of the writ petitioner in this case reads as under: -

'Civil Writ Petition under Article 226/227 of the Constitution of India for issuing the Writ in nature of Mandamus directing the official respondents No. 2 and 3 for protecting the life and liberty of Petitioners from Respondents No. 4 to 5;

AND/OR

With a further prayer for issuance of appropriate directions to the official respondents to ensure the security of life and liberty of the petitioners which is at the eminent danger at the hands of respondents No. 4 to 5;

AND/OR

With a further prayer for the issuance of appropriate direction to the official respondents not to harass the petitioner and in case of eviction of the petitioner if necessary from the premises of St. Joseph Church, Assandh, District Karnal to be proceeded as per the law established;

AND/OR

Any other order or direction which this Hon'ble Court may deem fit and proper in the peculiar facts and circumstances of the present case.'

Perusal of the representation dated 12.11.2019 (Annexure P-11) made by the petitioner to the police authorities of the State of Haryana reflects that no details are set out therein of commission of any cognizable offence, whereby the police authorities could be expected to take any action. The third limb of the prayer is for an injunction and such relief cannot be sought in a writ petition under Article 226 of the Constitution of India.

The writ petition is therefore utterly misconceived and is dismissed on that ground. This order shall however not preclude the petitioner from approaching the jurisdictional police authorities with a proper complaint, in the event of commission of any cognizable offence.

No order as to costs.

(SANJAY KUMAR)
JUDGE

26.11.2019

preeti

whether speaking/non speaking

yes

whether reportable/non reportable

yes/no