

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.30825 of 2019

Kovi.D.Arivazhagan,
s/o.Kovi.Dhakshinamoorthy,
General Secretary,
Vanniykila Kshatriya
Maha Sangam.

.. Petitioner

Vs.

1.State represented by
The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

2.The Inspector of Police (L & O),
Sivakanchi Police Station,
Kancheepuram.

3.Balaji,
S/o.Venkatesan,
Kullappan Street,
Kancheepuram.

.. Respondents

Prayer:-Criminal Original Petition filed under Section 482
Cr.P.C. to direct the 1st and 2nd respondents to give police
protection for taking over the administration of the schools
maintained by Vanniyakula Kshatriya Maha Sangam at Kancheepuram
by Paneerselvam and Rajendran based on the complaint lodged by
the petitioner herein dated 23.09.2019.

For Petitioner : Mr.A.Kumanaraja
For RR 1 & 2 : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor
For R3 : Mr.R.Thamaraiselvan

O R D E R

This petition has been filed to direct the 1st and 2nd
respondents to give police protection for taking over the
administration of the schools maintained by Vanniyakula
Kshatriya Maha Sangam at Kancheepuram by Paneerselvam and
Rajendran based on the complaint lodged by the petitioner herein
dated 23.09.2019.

2. It is seen from the records that the petitioner is the General Secretary of the Vanniykila Kshatriya Maha Sangam. The Sangam is running various schools and other educational institutions and doing social work for the general public.

3. The learned counsel for the petitioner would submit that one Balaji, who was appointed as the Secretary for the schools run by the Sangam at Kancheepuram, started misusing the school fund, and so, the Sangam appointed P.Paneerselvam and Rajendran, as the administrators for the schools, but, whenever they went to take charge of administration of the schools, the said Balaji threatened them with dire consequences and therefore, the petitioner lodged a complaint to the first and second respondents police seeking for police protection. Since the same was not considered, this petition has been filed seeking for appropriate direction.

4. The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection in a case of this nature.

5. Heard Mr.A.Kumanaraja, learned Counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the first and second respondents police and Mr.R.Thamaraiselvan, learned counsel for the third respondent.

6. It is possible for the petitioner to seek for police protection before the Court below, by filing an appropriate petition under Section 151 of Cr.P.C. The petitioner cannot maintain an independent petition before this Court seeking for police protection. The police cannot interfere in this case, unless, a specific direction is given by a competent Civil Court.

7. In view of the above, this Criminal Original Petition is disposed of, by giving liberty to the petitioner to workout his remedy before the Court below in the manner indicated herein above.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmm

To

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

2.The Inspector of Police (L & O),
Sivakanchi Police Station,
Kancheepuram.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.A.Kumanaraja, Advocate Sr.No. 23595

+1 cc to M/s.R.Thamaraiselvan, Advocate Sr.No. 23899

Crl.O.P.No.30825 of 2019

RLD(CO)
RMP(21/07/2020)



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