



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

and

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P. (MD) No.677 of 2020

Mala

... Petitioner

-vs-

1.The Superintendent of Police
Thanjavur & District

2.The Inspector of Police
Thiruchitrambalam & Post
Pattukottai Taluk
Thanjavur District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to provide police protection to the petitioner and to other elected councilors to enter freely into the polling premises; to prevent all the strangers including sitting M.L.As Ex.M.L.As and Sitting Rajiya Sabha M.Ps. and not to arrest the elected councilors of Peravoorani Panchayat Union Council, Thanjavur District enabling them to contest and to exercise their franchise in the election scheduled on 11.01.2020 or to any other date if postponed for Chairman Election to Peravoorani Panchayat Union Council, Thanjavur District.

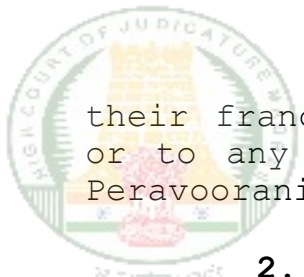
For Petitioner : Mr.N.Balakrishnan

For Respondents : Mr.K.Chellapandian
assisted by Mr.V.R.Shanmuganathan
Special Government Pleader

O R D E R

[Order of the Court was made by M.DURAI SWAMY, J.]

The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondents to provide police protection to her and to other elected councilors to enter freely into the polling premises; to prevent all the strangers including sitting M.L.As, Ex.M.L.As and Sitting Rajiya Sabha M.Ps. and not to arrest the elected Councilors of Peravoorani Panchayat Union Council, Thanjavur District, enabling them to contest and exercise



their franchise in the election scheduled to be held on 11.01.2020 or to any other date, if postponed, for the Chairman Election to Peravoorani Panchayat Union Council, Thanjavur District.

2. Mr.K.Chellapandian, learned Additional Advocate General, assisted by Mr.V.R.Shanmuganathan, learned Special Government Pleader, who takes notice for the respondents, submitted that the respondent Police is providing protection to all the citizens in the case of any apprehension with regard to their safety and therefore, no specific protection needs to be given to the respondent Police to give police protection to the elected candidates in the forthcoming election to the posts of Chairman and Vice-Chairman.

3. In view of the submissions made by the learned Additional Advocate General, we observe that in the case of real apprehension by any of the candidate with regard to his / her personal safety and in the case of giving a written complaint to the respective jurisdictional Police, the respective jurisdictional Police shall give appropriate protection to him / her.

4. Insofar as the other prayer not to arrest the elected Councilors of Peravoorani Panchayat Union Council, Thanjavur District, is concerned, we are not inclined to grant the said prayer for the reason that if such a prayer is granted, it would be like granting anticipatory bail in a writ petition to the petitioner. Therefore, the said prayer is rejected.

5. Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1.The Superintendent of Police, Thanjavur & District.

2.The Inspector of Police, Thiruchitrambalam & Post,
Pattukottai Taluk, Thanjavur District.

+1 CC to M/s.N.BALAKRISHNAN, Advocate (SR-1439[F]

W.P. (MD) No.677 of 2020

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TR(10.01.2020) 2P 4C