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W.P.(MD)No.17212 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02/12/2020

PRESENT

The Hon'ble Mr.Justice **G.K.ILANTHIRAIYAN**

W.P. (MD)No.17212 of 2016

and

W.M.P. (MD) .No.12496 of 2016

Aruna

: Petitioner

Vs.

1.The Home Secretary,
State of Tamil Nadu,
Secretariat,
Fort. St. Geroge,
Chennai.

2.The Principle Secretary,
Adi Dravidar Welfare Department,
Fort. St. George,
Chennai.

3.The Principle Secretary,
Social Welfare Department,
Fort. St. George,
Chennai.

4.The Director General of Police,
Office of the Director General of Police,
Dr.Rathakrishnan Road,
Chennai.

5.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.

6.The Inspector of Police,
Palanichettipatti Police Station,
Theni District.

7.Palanivel

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents No.1 to 7 to constitute a complaint cell at Theni District on the basis of order of this Court in W.P.No.26991 of 2014 forthwith consequently to direct the respondent No.1 to 7 to form a



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special team to provide police protection to petitioner and her husband and who are married as caste denial marriage like petitioner.

For Petitioner	:Mr.R.Alagumani
For Respondents	:Mr.K.Suyambulinga Bharathi
1 to 6	Government Advocate (Crl. Side)
For R7	:Mr.R.Suriyanarayanan

O R D E R

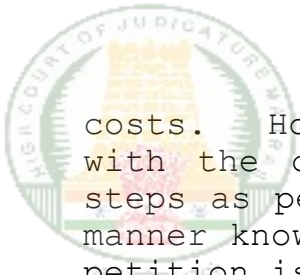
This writ petition has been filed seeking direction to the respondents No.1 to 7 to constitute a complaint cell at Theni District on the basis of order of this Court in W.P.No.26991 of 2014 forthwith consequently to direct the respondent No.1 to 7 to form a special team to provide police protection to petitioner and her husband and who are married as caste denial marriage like petitioner.

2.It is seen that the petitioner belongs to other community and she fell in love with one Arjunan belongs to other community. Thereafter, they got married and their marriage was registered at Sub Registrar Office, Nilakkottai on 06.09.2016 and the same was objected by the the petitioner's family members and also threatened them with dire consequences. Therefore, she sought for police protection for herself and her husband and his parents from the sixth respondent at the hands of the seventh respondent, who is being the father of the petitioner herein.

3.The learned Government Advocate (Crl. Side) appearing for the respondent police produced the counter affidavit filed by the sixth respondent stating that on the complaint lodged by the petitioner, they conducted enquiry and found that already seventh respondent has lodged a complaint under the caption of "Women Missing" in Crime No.491 of 2016 and after enquiry, it was found that the petitioner fell in love with one Arjunan belongs to other community and thereafter, they got married and their marriage was registered at Sub Registrar Office, Nilakkottai on 06.09.2016 and after recording the statement of the seventh respondent, the FIR in Crime No.491 of 2016 was closed as "Action Dropped" and the said report was sent to the Judicial Magistrate, Theni on 11.09.2016. Insofar as the complaint lodged by the petitioner, enquiry has been conducted and the statement of the seventh respondent was also recorded that he also undertakes not to disturb the life of the petitioner as well as her husband. Insofar as the formation of Special Cell, as directed by this Court in W.P.No.26991 of 2014, the Special Cell to be formed comprising of Police Department, Social Welfare Department etc., and also taking steps the Government of Tamil Nadu, sixth respondent and first respondent are also taking steps to form Special Cell to take action on the complaint of the intercaste married couples.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Recording the same, this writ petition stands closed. No



costs. However, the parties concerned are at liberty to proceed with the contempt petition, if the officials are not taken any steps as per the order of this Court in W.P.No.26991 of 2014 in the manner known to law. Consequently, the connected writ miscellaneous petition is also closed.

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Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsg

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Home Secretary,
State of Tamil Nadu,
Secretariat,
Fort. St. George,
Chennai.
- 2.The Principle Secretary,
Adi Dravidar Welfare Department,
Fort. St. George,
Chennai.
- 3.The Principle Secretary,
Social Welfare Department,
Fort. St. George,
Chennai.
- 4.The Director General of Police,
Office of the Director General of Police,
Dr.Rathakrishnan Road,
Chennai.
- 5.The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.



6.The Inspector of Police,
Palanichettipatti Police Station,
Theni District.

7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD) No.17212 of 2016

and

W.M.P. (MD) .No.12496 of 2016

02.12.2020

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