

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.4673 of 2020

ORDER

This writ petition is filed seeking the following relief:

“to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus seeking direction to the 1<sup>st</sup> respondent to expedite the decision making process by virtue of the letter dt 28/08/2019 addressed by the Hon'ble Home Minister, Union of India pursuant to the petitioner's representation to provide security and consequently direct the 1<sup>st</sup> respondent to take appropriate decision pursuant to the Letter dt 28/08/2019 addressed by the Hon'ble Home Minister, Union of India in reply to petitioner's representation for indulging security in view of lawful threat to his life as expeditiously as possible within the time stipulated by this Hon'ble and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard learned counsel on either side.

It is the case of the petitioner that he is a Member of Parliament. Since he apprehends threat, he submitted an application during August 2019, to the 1<sup>st</sup> respondent seeking protection. The 1<sup>st</sup> respondent-Union of India has acknowledged the same *vide* letter dated 28.08.2019 and informed that necessary action would be taken thereon. But, so far, no steps have been taken.

Learned counsel appearing for the petitioner contended that the 1<sup>st</sup> respondent be directed to consider the application submitted by the petitioner and pass appropriate orders.

Learned Assistant Solicitor General appearing for the 1<sup>st</sup> respondent contended that since there is no date on the application submitted by the petitioner, let the petitioner make an application afresh, in accordance with law, and the 1<sup>st</sup> respondent would consider the same and pass appropriate orders.

Learned Special Government Pleader for Home appearing for respondents 2 and 3 contended that there is no life threat to the petitioner. Since there is an elaborate procedure, the 1<sup>st</sup> respondent must consult with the State Government for providing security to the petitioner.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this writ petition can be disposed of directing the petitioner to submit an application to the 1<sup>st</sup> respondent within a period of two weeks from the date of receipt of a copy of this order. Upon such an application being received, the 1<sup>st</sup> respondent shall consider the same after consulting with the State Government, if necessary, and pass appropriate orders,

within a period of six weeks thereafter, in accordance with law.

Accordingly, the Writ Petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

---

JUSTICE ABHINAND KUMAR SHAVILI

*Date: 03.03.2020*

*rkk*

