

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.950 of 2021

Vignesh Kumar

... Petitioner

Vs.

1. State rep by its
The District Collector,
Collectorate Office,
Kallakuruchi District.
2. State rep by its.,
The District Superintendent of Police,
Kallakuruchi District.
3. State rep by its,
The Inspector of Police,
Thirunavalur Police Station,
Kallakuruchi District.
4. Murugan
5. Mathiyazhagan

...Respondents

This Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Mandamus, directing the 3rd respondent Police to provide necessary police protection to petitioner and his family members to entering the petitioner residence house situated at No.53, Mariamman Koil Street, Thamal Village, Ulundurpet Taluk, Kallakuruchi District and thereby consider the petitioner's representation dated 17.12.2020.

For Petitioner : Mr. D.Dayalan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondent police to provide police protection to the petitioner and his family members by virtue of the threat posed by the fourth and fifth respondents.

2. The case of the petitioner is that there was some previous enmity between one of the relatives of the petitioner and the fourth respondent and the same ended in a murder of one Sundaram, who is the brother of the fourth respondent. An FIR came to be registered in Crime No.892 of 2020 and the same is pending investigation. The further case of the petitioner is that the fourth and fifth respondents along with some other persons entered into the house of the petitioner and caused extensive damage to the house and valuables inside the house and also threatened the petitioner and his family members with dire consequences. The petitioner was not able to go back to his house due to the threat given by the fourth and fifth respondent and hence, a complaint came to be given before the third respondent police on 17.12.2020 seeking for police protection. Since the same was not acted upon by the third respondent, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr. Dayalan, learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

4. Taking into consideration the facts and circumstances of the case and nature of the grievance expressed by the petitioner, there shall be a direction to the third respondent to conduct an enquiry on the representation made by the petitioner on 17.12.2020. The third respondent shall direct the parties not to create any law and order problem and if in spite of such instructions being given, any threat is exerted by the fourth and fifth respondents, immediate action shall be taken strictly in accordance with law. If required, police protection shall also be given to ensure that the life and limb of the petitioner and his family members is not exposed to the threat exerted by the fourth and fifth respondents and their men. The petitioner is directed to make a fresh representation to the third respondent along with a copy of this order.

5. This Writ Petition is disposed of with the above directions. No costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

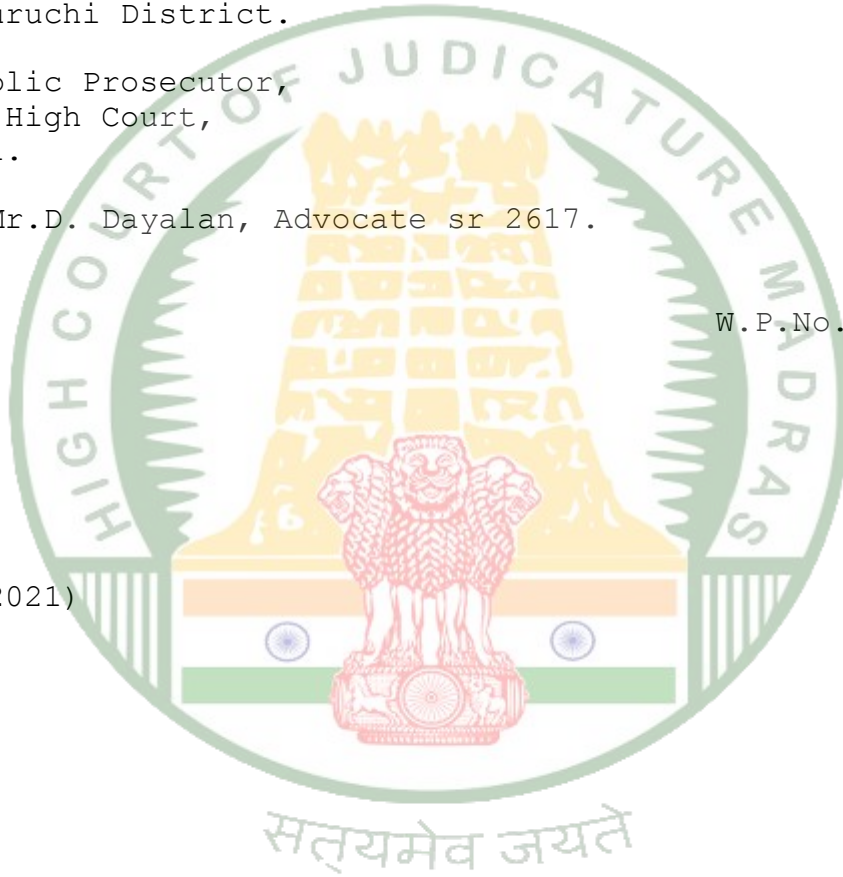
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To

- 1 The District Collector,
Collectorate Office,
Kallakuruchi District.
2. The District Superintendent of Police,
Kallakuruchi District.
3. The Inspector of Police,
Thirunavalur Police Station,
Kallakuruchi District.
4. The Public Prosecutor,
Madras High Court,
Chennai.
- +1 CC to Mr.D. Dayalan, Advocate sr 2617.

W.P.No.950 of 2021

PVS (CO)
SP (05/02/2021)



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