



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD) No.2404 of 2019

(Through video Conference)

WEB COPY

S.V.Vasanthi

.. Petitioner

Vs.

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

2.The Inspector of Police,
Theni Town Police Station,
Theni District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to give adequate police protection to the petitioner's life and her family members and her belongings and for consequential relief.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.B.Thanga Aravindh

Government Advocate

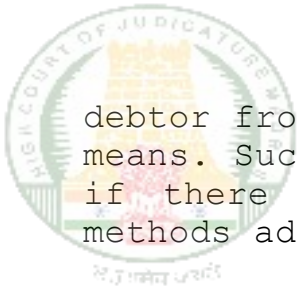
O R D E R

The petitioner herein has borrowed several lakhs from various persons has come out with this petition stating that her life and liberty is under threat by the creditors and therefore, she seeks police protection.

2. The learned Government Advocate would submit that the petitioner's complaint was registered in CSR.No.70/2019 and subsequently enquired and closed based on the undertaken given by the petitioner herein that she will settle her debt on receiving her retirement benefits and selling her house.

3. Representation seeking police protection with vague averments just to escape from the pressure of the creditors cannot be entertained by way of writ petition. The person, who seeks mandamus must *prima facie* show that they have a right to demand the authority and also should establish that demand made to the authority and refusal or inaction.

4. The petitioner, who is admittedly a debtor. Court can not
<https://hccasesecourts.gov.in/directs/> direct the police to give protection to the



debtor from the creditors, who want to recover the debt in lawful means. Such protection will be provided by the police in any event if there is really any force, threat or extra constitutional methods adopted by the creditors.

5. In this case, the representation clearly indicates that the petitioner, just to delay the repayment, had given this complaint and also approached this Court by way of writ petition. The subsequent events has unravelled the true intention of the petitioner.

6. Since the petitioner has agreed to repay the loan on the terms accepted by the creditors and has given a letter to the police in this regard, this Court is of the view that nothing survives in this writ petition and is liable to be dismissed.

7. Accordingly, this writ petition is dismissed. No Costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

PJL

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 Superintendent of Police,
Theni District, Theni.

2. The Inspector of Police,
Theni Town Police Station,
Theni District.

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

W.P. (MD) No.2404 of 2019
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SE (CO)

SP (29.12.2021) 2P 4C
<https://hservices.ecourts.gov.in/hservices/>