



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD) No.17373 of 2021

and

WMP (MD) No.14254 of 2021

WEB COPY

Abdul Rasheed, Manager,
Bismi Cashew Company,
Nattalam B Village, Nelveli - 629 165,
Vilavancode Taluk,
Kanyakumari District.

... Petitioner

vs.

- 1.The Superintendent of Police,
Kanyakumari District at Nagercoil,
Kanyakumari District - 629 001.
- 2.The Deputy Superintendent of Police,
Thuckalay, Kanniyakumari District.
- 3.The Inspector of Police,
Marthandam Police Station,
Marthandam, Kanyakumari 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 protection for opening and smooth running of the petitioner-company without any hindrance from the residents of the Nattalam B Village, Nelveli, Vilavancode Taluk, Kanyakumari District on the basis of the petitioner's representation to the respondents dated 25.03.2021.

For Petitioners : Mr.Isaac Mohanlal,
Senior Advocate
for Mr.K.Ragatheesh Kumar
For Respondents : Mr.T.Senthilkumar,
Additional Public Prosecutor

ORDER

Heard the learned Senior Counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

2.The petitioner Bismi Cashew Company is a business establishment engaged in the field of exporting cashew kernels for about 85 years. The business faced hindrance at the hands of three named individuals. In that regard, the earlier manager of the petitioner company one Pramod lodged a complaint on 16.02.2021.



On the very next day, he committed suicide. Crime No.69 of 2021 was registered by Marthandam Police Station in that connection.

3. When the matter was taken up for hearing on 24.09.2021, a direction was given to the jurisdictional Deputy Superintendent of Police for looking into the petitioner's representation. Following the visits made by the local police, the company is being run without any issue. The learned Senior counsel states that if the police visits cease, then the functioning of the petitioner company will be affected at the hands of the mischief mongers. The nation's economy is dependant on successive running of the business units. It is the duty of the local police to provide adequate protection to ensure that businesses are run without any hindrance or impediment. It is not as if the petitioner is having any civil or labour dispute with the named mischief mongers. Therefore, the respondents two and three are directed to ensure that the petitioner company is able to run their business without any hindrance. The writ petition is allowed. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

skm

To

1. The Superintendent of Police,
Kanyakumari District at Nagercoil,
Kanyakumari District - 629 001.
2. The Deputy Superintendent of Police,
Thuckalay, Kanniyakumari District.
3. The Inspector of Police,
Marthandam Police Station,
Marthandam, Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s. ISAAC CHAMBERS, Advocate (SR-34216[F] dated 11/11/2021)

WP (MD) No.17373 of 2021

and

WMP (MD) No.14254 of 2021

10.11.2021