

17.02.2022
Court No.13
Item No.11
sp

WPA 21459 of 2021

Sree Sree Rakhakali Mata Thakurani Sebayet & Ors.

Vs.

The State of West Bengal & Ors.

(Through Video Conference)

Mr. Debraj De,
Mr. Haripal Singh,
Ms. Anasua Biswas

... for the petitioners

Mr. Raja Saha,
Mr. Amit Kr. Ghosh

...for the State

Mr. Kallol Bose, Id. Sr. Adv.,
Mr. Keshab Chandra Das,
Ms. Aparajita Monda,
Ms. Mamata Dutta

...for the respondent nos. 5 to 15

The writ petitioners are aggrieved by alleged inaction on the part of the Tarakeswar Police Station.

It is submitted that they are the sebaits of a debuttar property called '*Sree Sree Rakhakali Mata Thakurani*' at Tarakeswar, Hooghly. The said temple is very popular and has thousands of devotees thronging in from the entire country.

Counsel for the petitioners submitted that the private respondents, are seeking to take over the control on the management of the said temple. There is a civil suit being T.S. 160 of 2021, now pending before the learned Civil Judge (Jr. Division), 2nd Court at Chandannagar. The petitioners submit that there is an order of status quo and injunction passed in the said suit. The private respondents still continue to threaten,

harass and assault the petitioners including the lady members of their family.

The remedy of the petitioners in respect of the temple/trust is pending adjudication before the civil forum, this Court is not inclined to pass any direction in that regard. However, in so far as the allegation of assault and physically harm to the petitioners and their family members is concerned, the Officer-in-Charge, Tarakeswar Police Station shall take immediate steps to ensure that there is absolutely no breach of peace in the area and any further complaint from the petitioners and/or their family members is attended to immediately.

Mr. Raja Saha, learned counsel for the State submits that there is already a police picket posted in the locale and an FIR being Tarakeswar Police Station Non-Cognizable Report No. 771/2021 dated 05.07.2021 under Section 323 of the Indian Penal Code has been registered against two persons Sukumar Koley and Bombhol Bera. There are other proceedings pending against the said Sukumar Koley before the ACJM, Chandannagar, Hooghly.

This Court directs that in the event of any further complaint from the petitioners against the private respondents or any third person, inter alia, in the nature of assault or any harassment, immediate and urgent steps would be taken to investigate into the same.

Mr. Kallol Bose, learned counsel appearing for the private respondents denies all allegations against his clients made by the petitioners.

Since no affidavits have been used by the private respondents, the allegations made in the writ application shall not be deemed to have been admitted by them.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

The report of the Officer-in-Charge, Tarakeswar Police Station along with all annexures is taken on record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)