



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.5407 of 2022

R.Lakshmanan,

...Petitioner

Vs

1. The Secretary to Government,
(Home Department),
Secretariat, Chennai - 600 009.
2. The District Collector,
Kanchipuram District, Kanchipuram.
3. The Commissioner of Police,
Chennai Metro City,
Vepery, Chennai - 600 007.
4. The Inspector of Police,
J-8, Neelangarai Police Station,
Thuraipakkam, Chennai - 600 096.
5. V.K.Sasikala,
6. Elavarasi,
7. J.Vivek
8. Kumar

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first to fourth respondents guaranteed the petitioner's life and his family members life against the fifth to eighth respondents by in person illegal activities.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondents :

For R1 to R4 : Mr.A.Gokulakrishnan
Additional Public Prosecutor



ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the first to fourth respondents guarantee the petitioner's life and his family members life against the fifth to eighth respondents by in person illegal activities.

2. It is the case of the petitioner that he had taken on lease hotel and five guest houses belonging to the fifth and sixth respondents. On behalf of the fifth and sixth respondents, the seventh respondent entered into an agreement and the petitioner has paid Rs.15,00,000/- out of which, Rs.5,00,000/- was paid by cash and Rs.10,00,000/- was paid by cheque. Subsequently, the seventh respondent had threatened the petitioner to hand over the hotel and guest houses to one Saikumaravel and he had handed over the same to him who was running it in the name and style of "Varsha Grand". Six months ago, the said Saikumaravel passed away and thereafter the eighth respondent had once again handed over the hotel and guest houses to the petitioner for running the same. The petitioner had once again paid Rs.2,00,000/- by cash and Rs.30,000/- by Google Pay and the petitioner has also paid an additional amount of Rs.1,50,000/- by way of cheque. While so, when the petitioner was running the hotel and guest houses, on 11.02.2022, the seventh respondent and his henchmen trespassed into the hotel and guest houses, stolen the account books and have also threatened to murder the petitioner. Hence, the petitioner had lodged the complaint against the fifth to eighth respondents before the first to fourth respondents on 23.02.2022. Since no action has been taken, the present petition has been filed seeking for a direction to give police protection.

3. The learned Additional Public Prosecutor appearing for the first to fourth respondents would submit that the petitioner was enquired by the fourth respondent. Though the petitioner claims to be a lessee of the hotel and guest houses which is alleged to be owned by the fifth and sixth respondents, the petitioner has not produced any evidence to prove the same. Further, he had not produced any material to show that the fifth to eighth respondents had either threatened him in person or through anybody. Finding no veracity in the complaint of the petitioner, it has been closed. He would further submit that if the claim of the petitioner to be a lessee is true, he is entitled to approach appropriate concerned civil court seeking redressal.

4. Heard both sides and perused the materials available on record.

5. Though the petitioner claims to be a lessee in respect of hotel and guest houses owned by the fifth to eighth respondents, no materials have been produced either before the



respondents police or before this Court. It is noticed that the fourth respondent has also conducted an enquiry and finding no substance in the complaint, they have closed the complaint. There is no merits in this writ petition.

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6. This Writ Petition stands disposed of with liberty to the petitioner to approach the concerned civil court, if he has got necessary proof to show that he is a lessee of the hotel and five guest houses. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

rgm/arb

To

- 1.The Secretary to Government,
(Home Department),
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- 2.The District Collector,
Kanchipuram District, Kanchipuram.
- 3.The Commissioner of Police,
Chennai Metro City,
Vepery, Chennai - 600 007.
- 4.The Inspector of Police,
J-8, Neelangarai Police Station,
Thuraipakkam, Chennai - 600 096.
- 5.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.T.V.G.Kartheeban, Advocate SR. No.20440

W.P.No.5407 of 2022

MG (CO)
PR (29/04/2022)