



WMP.No.27150 of 2021
in
W.P.No.14356 of 2012

R.MAHADEVAN, J.

Heard the learned senior counsel appearing for the petitioner and the learned counsel for the respondents and also perused the affidavit filed in support of this petition.

2.This miscellaneous petition has been filed by the writ petitioner to clarify, whether the dismissal of the writ petition as infructuous, can be taken to withdraw the security already provided to him without adjudging the need for the same.

3.The petitioner has filed the aforesaid writ petition viz., WP.No.14356 of 2012 seeking a direction to the respondents to take appropriate action on his representation dated 17.05.2012 and conduct an enquiry into the same and also appoint a police gun man to give protection to him in accordance with law, within a time frame to be stipulated by this court.

4.On 12.07.2021, when the writ petition was taken up for consideration, the learned counsel for the petitioner submitted that the petitioner was provided with 'Y' scale security with effect from the month



of February, 2020. In view of the same, since the prayer of the petitioner has already been met with by the respondents, this court dismissed the writ petition as having become infructuous.

5.It appears from the affidavit filed in support of this miscellaneous petition that pursuant to the order passed by this court on 12.07.2021, the respondent authorities have withdrawn the “Y” scale security provided to the petitioner, on 28.10.2021 without prior intimation on the impression that a final order was passed in dismissing the writ petition as infructuous. Therefore, the petitioner has come up with this miscellaneous petition seeking to clarify the order so passed by this court on 12.07.2021.

6.Now, it is clarified that the writ petition was dismissed as infructuous on 12.07.2021, on the basis of the statement made on the side of the petitioner that the petitioner was already provided with 'Y' scale security, as nothing survives for adjudication. The order so passed does not mean to understand that the security service already provided to the petitioner be directed to be withdrawn. Therefore, it is for the respondent authorities to take a decision, with respect to the claim of



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the petitioner seeking protection, based on the materials available before them, on merits.

7. Accordingly, this miscellaneous petition is disposed of.

07.01.2022

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Note: Issue order copy on 11.01.2022



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