



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.02.2022
CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD).No.3717 of 2022

and

W.M.P(MD)Nos.3233 and 3235 of 2022

WEB COPY

- 1.K.Sundaralingam
- 2.S.Nirosha
- 3.S.Ramesh
- 4.R.Radhika
- 5.N.Muthalagu
- 6.K.Vadivel Murugan
- 7.M.Ayyappan
- 8.Lavanya
- 9.P.Akilakumari
- 10.S.Rethinam
- 11.S.Kamalakannan
- 12.M.Vigneshwari
- 13.Nithya
- 14.P.Gomathy
- 15.Dhanalakshmi

...Petitioners

Vs.

- 1.The District Collector,
Sivagangai, Sivagangai District.
- 2.The Superintendent of Police,
Sivagangai, Sivagangai District.
- 3.The Deputy Superintendent of Police,
Devakottai Division,
Devakottai, Sivagangai District.
- 4.The Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai District.
- 5.Subramanian,
The Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first and second respondents to take necessary action to give adequate police protection to life and limb of the



petitioners herein and consequently direct the fourth and fifth respondents to not to harass the petitioners in any manner.

For Petitioners : Mr.Suyambulinga Barathi
For K.R.Bharathi Kannan

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For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

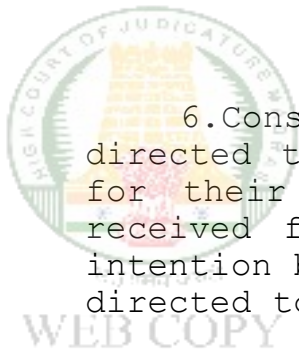
The Writ Petition has been filed in the nature of Mandamus, seeking a direction to the first and second respondents to take appropriate action on their complaint, dated 24.02.2022 and to provide adequate police protection to their life and limb and also seeking a consequential direction, directing the fourth and fifth respondents not to harass them and their family members.

2.The case of the petitioner is that all the petitioners have had contested in the local body election, which has been held on 19.02.2022 and all the petitioners were elected and declared as winning candidates for their respective wards in Devakottai Municipality. There are totally 27 wards in the said Municipality, out of which, all the petitioners have been elected under one political party. Therefore, they have no difficulty to elect the Chairman and the Vice-Chairman of Devakottai Municipality. However, the opposite party threatened the petitioners in order to get their members to be elected as Chairman and Vice-Chairman.

3.The learned Additional Public Prosecutor appearing for the respondents submitted that though all the petitioners have been elected to their respective wards, some of the ward members are supporting other parties and as such some of the members themselves detained other members in their custody and not allow them to support other persons to the post of President and Vice President of Devakottai Municipality.

4.Admittedly, all the petitioners are elected as ward Councillors of Devakottai Municipality in the present local body election, which has been held on 19.02.2022. Now, all the petitioners apprehended that the opposite party members threatened them to support their candidates for the post of Chairman and Vice-Chairman.

5.Therefore, this Court feels that there is a real apprehension from the opposite party with regard to the petitioners' personal safety. Though the petitioners lodged complaint before the respondents 2 and 3, but they did not take any action on their complaint.



6.Considering the above, the second and third respondents are directed to provide adequate police protection to the petitioners for their life and limb. At the same time, if any complaint received from any of the petitioners with regard to the illegal intention by other petitioners, the second and third respondents are directed to take appropriate action on their complaint.

7.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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 District Collector,
Sivagangai, Sivagangai District.
- 2.The Superintendent of Police,
Sivagangai, Sivagangai District.
- 3.The Deputy Superintendent of Police,
Devakottai Division,
Devakottai, Sivagangai District.
- 4.The Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

W.P (MD) .No.3717 of 2022
25.02.2022

SRR(CO)

TR(25.02.2022) 3P 6C