



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2022

CORAM

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD).No.3786 of 2022

1. R.Kalameena

2. Vincy

3. Rameshpandi

4. Mariammal

5. Geetha

6. Sebasthiammal

7. Soundarapandian

8. Aathavan

...Petitioners

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Superintendent of Police,
Madurai Rural,
Madurai District.

3.The Deputy Superintendent of Police,
Samayanallur, Madurai District.

4. The Inspector of Police,
Samayanallur police Station,
Samayanallur,
Madurai 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 respondents 1 to 3 to give adequate police protection to life and limb of the petitioners and directing the 4th respondent not to harass the petitioners in any manner.



For Petitioners : Mr.K.Chellapandian, Senior counsel
for Mr.K.Dinesh Babu, Advocate.
For R1 to R4 : Mr.R.M.Anbunithi
Additional Public Prosecutor

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ORDER

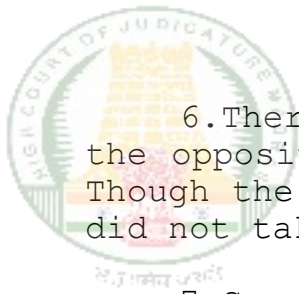
The Writ Petition has been filed in the nature of Mandamus, seeking a direction to the respondents 1 to 3 to give adequate police protection to life and limb of the petitioners and to direct the fourth respondent not to harass the petitioners.

2.The case of the petitioner is that all the petitioners have contested for the post of Councillor of Paravai Town Panchayat, which has been held on 19.02.2022 and all of them were elected and declared as winning candidates for their respective wards in Paravai Town Panchayat. There are totally 15 wards, out of which, all the petitioners have been elected under one political party and they have majority to elect their Chairman and Vice Chairman of Paravai Town Panchayat. However, the opposite party have won only six places and one independent candidate has been elected as Councillor, as such they threatened the petitioners in order to support their candidates to be elected as Chairman and Vice Chairman of Paravai Town Panchayat. Therefore, the petitioners are seeking police protection to their life and limb at the hands of the opposite party ward members.

3.Mr.R.M.Anbunithi, the learned Additional Public Prosecutor submitted that just now he received the copy of the petition and as such, he could not able to get instructions from the respondent 1 to 3.

4.Heard the learned Counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents.

5.It is seen 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 not to allow them to support the candidates other than the opposite party candidates to the post of Chairman and Vice Chairman of Paravai Town Panchayat. There are totally eight petitioners, in which, all the petitioners were elected as ward Councillors of Paravai Town Panchayat in the local body election, under one party, which has been held on 19.02.2022. Now, all the petitioners are apprehended that the opposite party members threatened them to support their candidates for the post of Chairman and Vice Chairman.



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

7. 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 petitioner with regard to their illegal detention by other petitioners, the second and third respondents are directed to take appropriate action on their complaint.

8. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

/TRUE COPY/

/ /2022
Sub Assistant Registrar(CS)

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,
Madurai District,
Madurai.
2. The Superintendent of Police,
Madurai Rural,
Madurai District.
3. The Deputy Superintendent of Police,
Samayanallur,
Madurai District.
4. The Inspector of Police,
Samayanallur police Station,
Samayanallur, Madurai District.

+1 CC to M/s.K.DINESH BABU, Advocate (SR-9347[F] dated 01/03/2022)

+1 CC to M/s.K.DINESH BABU, Advocate (SR-9066[F] dated 28/02/2022)

W.P(MD) .No.3786 of 2022
28.02.2022

MK/01.03.2022/3P/7C

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