



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2022

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN**

Crl.O.P(MD)No.4320 of 2022

1.M.Jansi Rani  
2.V.Jeyakumar  
3.L.Arumuga Devi  
4.S.Prathish Kumar  
5.R.Uma  
6.S.Shanmugavel  
7.S.Muthukumar  
8.T.Premkumar  
9.J.Thanaseeli Bhuvaneshwari

... Petitioners

Vs.

1.The District Collector,  
Tirunelveli District.  
2.The Superintendent of Police,  
Tirunelveli District.  
3.The Deputy Superintendent of Police,  
Valliyoor Sub Division,  
Tirunelveli District.  
4.The Inspector of Police,  
Thisayanvilai Police Station,  
Tirunelveli District.

... Respondents

**Prayer:** This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents No.2 to 4 to award adequate police protection for their life and limb so as to enable them to cast their respective votes in the election scheduled to be taken place for the post of Chairman and Vice Chairman on 04.03.2022 in Thisayanvilai Special Grade Town Panchayat, Tiruenlveli District.

For Petitioners : Mr.R.Anand

For Respondents : Mr.R.M.Anbunithi,  
Addl. Public Prosecutor



**O R D E R**

This criminal original petition has been filed to direct the respondents 2 to 4 to provide police protection for the petitioners' life and limb so as to enable them to cast their respective votes in the election scheduled to be taken place for the post of Chairman and Vice Chairman on 04.03.2022 in Thisayanvilai Special Grade Town Panchayat, Tiruenlveli District.

2.The case of the petitioners is that all the petitioners have contested for the post of Councillor in Thisayanvilai Special Grade Town Panchayat, which has been held on 19.02.2022 and all the petitioners were elected and declared as winning candidates for their respective wards in Thisayanvilai Special Grade Town Panchayat. There are totally 18 wards, out of which, all the petitioners have been elected under one political party and their allied party member was also elected in one ward and they have majority to elect their Chairman and Vice Chairman of Thisayanvilai Special Grade Town Panchayat. However, the opposite party have won only two places and as such, they threatened the petitioners in order to support their candidates to be elected as Chairman and Vice Chairman of Thisayanvilai Special Grade Town Panchayat. Therefore, the petitioners are seeking police protection to their life and limb at the hands of the opposite party ward members.

3.The learned counsel for the petitioners submitted that the respondents 2 and 3 provided adequate police protection to the petitioners while taking their respective sworn statement as Councillor. After taking their respective sworn statement, the petitioners were not allowed to go from Thisayanvilai Special Grade Town Panchayat's Office.

4.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 respondents.

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

6.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 to the post of Chairman and Vice Chairman of Thisayanvilai Special Grade Town Panchayat. There are totally nine petitioners and all of them were elected as ward Councillors of Thisayanvilai Special Grade Town Panchayat in the local body election, which has been held on 19.02.2022 under one



party and one allied party was also elected as a candidate for his respective ward.

7.Now, all the petitioners apprehended that the opposite party members threatened them to support their candidates for the post of Chairman and Vice Chairman. 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.

8.Considering the above, the second and third respondents are directed to provide adequate police protection to the petitioners for their life and limb till the election for the post of Chairman and Vice Chairman of Thisayanvilai Special Grade Town Panchayat. 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. It is also made it clear that the second respondent is directed to monitor the election process for the post of Chairman and Vice Chairman of Thisayanvilai Special Grade Town Panchayat and ensure that the petitioners are freely and on their own vote for the said posts.

9.With the above directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ias

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,  
Tirunelveli District.

2.The Superintendent of Police,  
Tirunelveli District.



3.The Deputy Superintendent of Police,  
Valliyoor Sub Division,  
Tirunelveli District.

4.The Inspector of Police,  
Thisayanvilai Police Station,  
Tirunelveli District.

5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

CrI.O.P (MD) No.4320 of 2022  
03.03.2022

kmv (CO)  
TR(03.03.2022) 4P 6C