



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P(MD) No.7955 of 2022

WEB COPY

N.Karthiga

...Petitioner

Vs.

1.The Superintendent of Police
Office of the Superintendent of Police,
Surveyor Colony,
Madurai 625 107.

2.The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Nagamalai Pudukkottai,
Madurai District.

3.K.Deepan

4.Sundaravalli

5.Deepika

6.Selvam

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 and 2 herein to provide adequate police protection to the life and limb of the petitioner, her child and widow mother in accordance with law by considering the petitioner's representation dated 23.04.2022 within a stipulated time.

For Petitioner : Mr.A.R.Kannappan

For R1 and R2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. side)

O R D E R

This Petition has been filed to direct the respondents 1 and 2 herein to provide adequate police protection to the life and limb of the petitioner, her child and widow mother in accordance with law by considering the petitioner's representation dated 23.04.2022 within a stipulated time.

2. The petitioner and the third respondent are husband and wife and their marriage was performed in the year 2021, out of wedlock,

<https://hcservices.ecourts.gov.in/hcservices/>



they were blessed with a male child. The third respondent continuously harassed the petitioner by demanding more dowry. Due to misunderstanding and the harassment they were separated. Thereafter, the third respondent tried to kidnap the child. Hence, the petitioner made a request to the respondents 1 and 2 to grant adequate police protection for his life and limb and the same was not considered till date. Hence, this Criminal Petition has been filed.

3.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents 1 and 2 to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4.In the light of the above observations, it would be appropriate to direct the second respondent herein to consider the petitioner's representation dated 23.04.2022, within a stipulated time and thereby the ends of justice could be secured. It is made clear that this Court has not expressed any of its view with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5.Accordingly, there shall be a direction to the second respondent to consider the petitioner's representation dated 23.04.2022, on its own merits and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the third respondent and any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar
(Vacation Officer)

// True Copy //

18/05/2022
Sub Assistant Registrar(CS)



To

- 1.The Superintendent of Police
Office of the Superintendent of Police,
Surveyor Colony,
Madurai 625 107.
- 2.The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Nagamalai Pudukkottai,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD) No.7955 of 2022
Date:11.05.2022

SA(18.05.2022) 3P 4C