



W.P.(MD)No.24808 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.24808 of 2022

S.S.Rajan

... Petitioner

Vs.

1.The Superintendant of Police,
Kanyakumari District, Nagercoil.

2.The Inspector of Police,
Boothapandi Police Station,
Boothapandi, Kanyakumari District.

3.M.Manikandan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the Respondents 1 and 2 herein to provide adequate Police protection to the life and limb of the Petitioner for conducting prayer meeting in the Petitioner's residence on the basis of the Petitioner's representation dated 24.09.2022 in accordance with law.

For Petitioner :Mr.T.Selvakumar
For R1 and R2 :Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

The learned Counsel for the Petitioner submitted that this Writ Petition had been filed seeking for a Writ of Mandamus to direct the



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Respondents 1 and 2 herein to provide adequate Police protection to the life and limb of the Petitioner for conducting prayer meeting in the Petitioner's residence on the basis of the Petitioner's representation dated 24.09.2022 in accordance with law.

2.To the query of this Court for seeking permission to conduct prayer meeting in the Petitioner's residence, the learned Counsel for the Petitioner relied on the order passed by this Court in Crl.O.P.(MD)No.88 of 2022, dated 07.01.2020, in which, the learned Single Judge has passed the following order:

"2.Today when the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that on the rival complaint given by the petitioner enquiry was conducted by the second respondent police and during enquiry both the parties have agreed not to interfere with the rights of the other person. Hence the complaint was closed.

3. Recording the same, this Criminal Original Petition is closed."

3.The learned Additional Public Prosecutor submitted that when Crl.O.P.(MD)No.88 of 2020 came up for hearing on 07.01.2020, it was reported that enquiry was conducted by the second Respondent and both parties were directed not to interfere with each other person and the complaint was closed. Based on such submission, the said Criminal Original Petition was closed. Now, for the same cause of action, the Petitioner had filed this Writ Petition. Further, the leaned Additional Public Prosecutor submitted that to comply with the direction of this



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Court, the subject matter was referred to the Revenue Divisional Officer/Executive Magistrate, in which, proceedings are still pending.

4. Recording the submission of the learned Additional Public Prosecutor, the Petitioner and the third Respondent is directed to cooperate with the pending enquiry, even though the third Respondent is not served on notice.

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

15.11.2022

Index : Yes / No
cmr

To

1. The Superintendent of Police,
Kanyakumari District, Nagercoil.
2. The Inspector of Police,
Boothapandi Police Station,
Boothapandi, Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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