



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD)No.26071 of 2019

(Through video Conference)

WEB COPY

G.Thirumurugan @ Theeran Thirumurugan .. Petitioner

Vs.

1.The State of Tamilnadu,
Represented by the Principal Secretary,
Home Department, State of Tamil Nadu,
Fort St.George, Chennai-600 009.

2.The Director General of Police,
Office of the Director General of Police,
Chennai.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.

4.The Executive Magistrate/Tahsildar,
Rajasingamangalam,
Ramanathapuram District.

5.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Thiruvadanai Sub Division,
Ramanathapuram District.

6.The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.

7.Pugalendhi,
Deputy Superintendent of Police,
Office of the Superintendent of Police,
Thiruvadanai Range,
Ramanathapuram District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, to direct the respondents 1 and 2 to take action against the respondents 5 and 7 in accordance with law and instruct the respondents 5 and 7 for not to harass the petitioner and take action on the basis of the petitioner's representation, dated 05.12.2019 in accordance with law within the time stipulated by this Court.



For Petitioner : Mr.R.Alagumani
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

O R D E R

WEB COPY The writ petition is filed seeking direction to the respondents 1 and 2 to take action against the respondents 5 and 7 alleging that the respondents 5 and 7 are harassing the petitioner. However, on going through the records, this Court finds that the petitioner herein, who is claiming himself a social activist have been causing disturbance to the peace and tranquility of the public by conducting unauthorised meeting and therefore proceedings was initiated under Section 110 Cr.P.C., and the petitioner was called for enquiry, instead of participating in the enquiry fairly, the petitioner had gathered galaxy of advocates and went to attend the enquiry and thereafter, had filed this present writ petition alleging that he is harassed by the respondents 5 and 7.

2.The sixth respondent has filed a counter affidavit wherein it is stated that the petitioner and his associates are causing continuous disturbance to the Uppur Thermal Power Plant Project constructed by the Government and in this connection, proceedings were initiated against him for disturbing public peace and tranquility. There is no malafide in causing the said notice and initiation of the security proceedings under Section 110 Cr.P.C. against the petitioner herein.

3.This Court, on perusing the counter affidavit, is convinced that the petitioner herein, who was causing serious trouble to the law and order and an habitual offender of causing breach of peace under the garb of public protest has been called for enquiry exercising the power under Section 111 Cr.P.C. Instead of participating the enquiry, the petitioner herein had filed this writ petition to express his non-cooperation to the procedure established under law. A violator of law cannot seek any protection from the Court of justice. Hence, this writ petition is dismissed. No Costs.

Sd/-

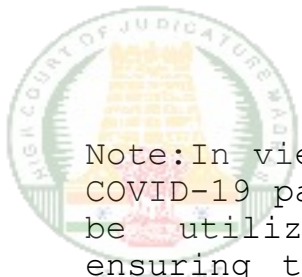
Assistant Registrar(CS-)

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Sub Assistant Registrar(CS)

PJL



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 Principal Secretary,
State of Tamilnadu, Home Department,
State of Tamil Nadu, Fort St.George, Chennai-600 009.

2.The Director General of Police,
Office of the Director General of Police,
Chennai.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.

4.The Executive Magistrate/Tahsildar,
Rajasingamangalam,
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5.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
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6.The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.

7.Pugalendhi,
Deputy Superintendent of Police,
Office of the Superintendent of Police,
Thiruvadanai Range,
Ramanathapuram District.

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

W.P. (MD) No.26071 of 2019
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SB(CO)
TR(10.02.2022) 3P 9C