



W.P.No.7464 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.7464 of 2023

R.Raja

...Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Secretary,
Home, Prohibition & Excise Department,
Secretariat, Fort.St.George,
Chennai – 600 009.

2.The Director General of Police, HoPF,
Office of the Director General of Police,
Dr.Radhakrishnan Salai, Mylapore, Chennai.

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

4.The Deputy Superintendent of Police,
Maduranthagam Zone,
Madhuranthagam, Chengalpattu District.

5.The Inspector of Police,
Melmaruvathur Police Station,
Melmaruvathur, Chengalpattu District.

...Respondents



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PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, directing the respondents to provide police protection to the Petitioner and providing sufficient armed men (personal security Officer) with necessary arrangements in Chennai City and also during his travels, enabling him to live peacefully and perform his social activities, based on the representation dated on 21.02.2022.

For Petitioner : Mr.Ilayaraja Kandasamy

For Respondents : Mr.Leonard Arul Joshph Selvam
Government Advocate (Crl.Side)

ORDER

The Writ Petition has been filed for directing the respondents to provide police protection to the Petitioner and providing sufficient armed men (personal security Officer) with necessary arrangements in Chennai City and also during his travels, enabling him to live peacefully and perform his social activities, based on the representation dated on 21.02.2022.

2. Learned counsel for the petitioner submitted that, petitioner is the Chengalpattu South District Secretary of Hindu Munnani and District Organizer of Hindu Youth Munnani and he is a social activist. He took initiation to remove the rampant encroachments in the water bodies in and around Melmaruvathur, Keezhmaruvathur and Sothupakkam areas. He filed



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W.P.No.4797 of 2018 and it is pending. This Court on 31.03.2022, ordered

the encroachments to be removed from the water bodies. He filed W.P.No.4434 of 2020 against the encroachments and demolition of mountain and destruction of natural bodies a Achirapakkam Village. He filed W.P.No.19286 of 2021 for removing illegal encroachments on the Meikkal and Mandaiveli Government poramboke lands all around Tamil Nadu. Because of his activities, he is under constant threat and many were trying to eradicate him. He filed Crl.O.P.No.8909 of 2018 and was under police surveillance by placing patta book and camera. On 08.07.2018, at about 22.00 hours, two unknown persons came to his office in two wheeler and threw petrol bomb in front of his office. On the basis of the complaint given by the petitioner, FIR in Crime No.189 of 2018 under Sections 285 and 511 IPC was registered. He filed W.P.No.29881 of 2018, seeking police protection, and this Court directed the 5th respondent to consider petitioner's representation for providing police protection. Since he was not provided police protection, he filed Contempt Petition.No.488 of 2018 in W.P.No.29881 of 2018, this Court on 13.08.2019, passed the order directing the respondent police to continue to keep the petitioner under surveillance and ensure that there is no threat to the life of the petitioner. He further



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submitted that, the threat to the life of the petitioner still continues, and therefore, he gave a representation dated 21.02.2022 seeking police protection. Since no order is passed, this petition is filed.

3. In response, learned Government Advocate (Criminal side) submitted that, when the matter was taken up on 07.06.2023, it was reported by the learned Government Advocate (Criminal side) that, the Intelligence Report shows that petitioner faces a threat and he requires time for filing status report. Accordingly, status report is filed today. As per the status report, petitioner is running a Gym at No.16/B, draupadi Amman Koil Street, Sothupakkam Village, Cheyyur Taluk, Chengalpattu District. He is also running a social activist office at Hindu Munani Party office. The status report deals with the complaints given by the petitioner about the threat received by him and the action taken on the complaints.

3.1. It appears that, petitioner gave a complaint on 03.07.2021, alleging that, at about 22.00 hours on 02.07.2021 to 06.30 hours on 03.07.2021, some unknown persons came to his house and took patta book and burnt near the staircase. On the basis of the complaint, FIR in Crime



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No.295 of 2021 for the offences under Sections 285 IPC on 03.07.2023 was

registered. The investigation revealed that, complaint was a false complaint.

It is also stated in the status report that petitioner is involved in Vellore Sathuvachary Police Station Crime No.435 of 2003 for the offences under Sections 302, 380 IPC and that was ended in acquittal. Petitioner is issued Arms licence to use pistol/revolver for his self-protection throughout Tamil Nadu.

4. Considered the submissions and perused the records.

5. It is seen from the submissions of the learned counsel for the parties and status report that, petitioner is involved in social and political activities. He apprehends threat to his life. Patta book was placed in the residence of the petitioner and his house was put under CCTV surveillance. From the materials available and the submission of the learned Government Advocate that the petitioner faces threat to his life. Thus, this Court directs the respondent police to consider the petitioner's representation dated 21.02.2022 and pass appropriate orders in the manner known to law, preferably giving police protection to the petitioner.



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6. Accordingly, this Writ Petition is disposed of, with a direction to the respondent police to consider the petitioner's representation dated 21.02.2022 and pass appropriate orders in the manner known to law preferably giving police protection to the petitioner. No costs.

19.06.2023

Index :Yes/No
Internet :Yes/No
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- To
1. The State of Tamil Nadu,
Represented by its Secretary,
Home, Prohibition & Excise Department,
Secretariat, Fort.St.George,
Chennai – 600 009.
 2. The Director General of Police, HoPF,
Office of the Director General of Police,
Dr.Radhakrishnan Salai, Mylapore, Chennai.
 3. The Superintendent of Police,
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Maduranthagam Zone,
Madhuranthagam, Chengalpattu District.
 5. The Inspector of Police,
Melmaruvathur Police Station,
Melmaruvathur, Chengalpattu District.
 6. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

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