



1 of 8

[IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.14503 of 2022

Sriram Panchu
Son of Late Mr.R.Panchu

.. Petitioner

VS.

1.The State rep. by
Additional Chief Secretary
Department of Home, Prohibition & Excise
Fort St.George
Chennai 600 009.

2.The Director General of Police
Police No.1, Kamarajar Salai
Chennai 600 004.

3.The Commissioner of Police
E.V.S. Sampath Road
Vepery, Chennai 600 007.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to restore police protection to the petitioner based on his representation dated 20.05.2022.



2 of 8

For Petitioner : Mr.MA.Gouthaman

For Respondents : Mr.R.Muniyappanraj
Additional Public Prosecutor
Asst. by:
Mr.M.Sylvestor John
Government Advocate (Crl.Side)

ORDER

This writ petition was filed for a direction to the 1st respondent to restore the police protection provided to the petitioner based on the representation dated 20.05.2022.

2. When the matter came up for hearing on 05.07.2023, this Court passed the following order:

This Writ Petition has been filed by a Senior Advocate who is practicing in this Court and the Hon'ble Apex Court, for direction to the 1st respondent to restore the Police protection to him based on the representation dated 20.05.2022.

2. Heard Mr.S.Prabhakaran, learned Senior Counsel for Mr.MA.Gouthaman for the petitioner and Mr.A.Gopinath, learned Government Advocate (Crl. Side) appearing for the respondents.

3. It is seen from the records that the petitioner was appointed as one of the mediator by the Apex Court in the famous Ayodhya case and ultimately based on the report given by the petitioner along with other mediators, final orders were passed by



WEB COPY



the Apex Court. In view of the same, there was a threat factor and hence 'Z' category security was provided to the petitioner. Unfortunately, the same was withdrawn during pandemic period. After normalcy was restored, the petitioner was making representations to the respondents to continue the same security that was given to him. Since the representations were not acted upon and 'Z' category security was not granted, the present writ petition has been filed by the petitioner.

4. In the considered view of this Court, the respondents ought not to have withdrawn the 'Z' category security that was given to the petitioner, considering the threat factor faced by the petitioner. The petitioner who has rendered his service at the request made by the Apex Court, should not be made to knock the doors of the Court in order to get security and the respondents ought to have restored 'Z' category security immediately after the normalcy was restored after the pandemic situation.

5. In the light of the above discussion, this Court expects the 1st respondent to immediately take a decision and inform this Court during the next date of hearing. Post the case under the caption 'for passing further orders' on 12.07.2023.

3. When the matter was again posted for hearing on 19.07.2023, this Court passed the following order:

Pursuant to the earlier order passed by this Court, a status report has been filed before this Court. The relevant portions in the status report are extracted hereunder:

"5. It is submitted that, In the Ayodhya case Fakir Mohammad Ibrahim Kalifulla, former judge Supreme Court of India as Chairman, Sri Sri Ravishankar and Thiru Sriram Panchu, Senior



Advocate were appointed as Members by the Apex Court as Mediators.

6.It is submitted that, as per the decision of the SRC meeting held on 04.10.2021 the security of Justice Fakir Mohammad Ibrahim Kalifulla, former Justice Supreme Court of India was modified from Z scale of security to X scale of security and in respect of Thiru Sriram Panchu the Z category security already provided to him was withdrawn.

7.It is submitted that subsequently, as per the decision of the Security Review Committee meeting held on 20.03.2023, Tr.Sriram Panchu has been sanctioned with 2 PSOs and the X scale security to the Justice Thiru Fakir Mohammad Ibrahim Kalifulla, former Justice Supreme Court of India is continued.

8.It is submitted that now, Thiru Sriram Panchu is provided with one PSO at any point of time which is similar to the security provided to the Justice Thiru Fakir Mohammad Ibrahim Kalifulla, former Justice Supreme Court of India.

2. Mr.S.Prabakaran, learned Senior Counsel appearing on behalf of the petitioner submitted that whatever security is given to Hon'ble Justice Fakir Mohammad Ibrahim Kalifulla, can be extended to the petitioner also. It was further contended that such security has not been extended to the petitioner till date.

3. The learned Additional Public Prosecutor submitted that based on the affidavit that has been filed before this Court, the security that was given to Hon'ble Justice Fakir Mohammad Ibrahim Kalifulla, will be extended to the petitioner also.

4. The learned Senior Counsel appearing for the petitioner shall take instructions from the petitioner as to



whether such security is being provided in the coming week and report before this Court.

5. Post this writ petition under the same caption on 26.07.2023.

4. When the matter was taken up for hearing today, the 2nd respondent has filed a status report and the relevant portions in the status report are extracted hereunder:

8. it is submitted that, apart from the PSOs provided as recommended by the Security Review Committee, considering the circumstances, 1+4 static guard is provided temporarily to the residence of Justice Fakir Mohammed Ibrahim Kalifulla by the Greater Chennai Police and the same has been extended to the petitioner Sriram Panchu also. Hence the even Scale of bandobust provided to the writ petitioner Sriram Panchu.

9. It is submitted that, as per procedure, the provision of above scale of security to the writ petitioner will be placed before the Next Security Review Committee Meeting for taking a final decision.

5. The learned counsel appearing on behalf of the petitioner submitted that the security that was provided to Hon'ble Justice Fakir Mohammed Ibrahim Kalifulla has been extended to the petitioner also.



6 of 8

WEB COPY

6. The stand taken in the status report filed by the 2nd respondent and the submission of the learned counsel for the petitioner is taken note of and this writ petition is disposed of accordingly. No Costs.

26.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order

KP



WEB COPY



7 of 8

To

1. The Additional Chief Secretary
Department of Home, Prohibition & Excise
Fort St.George
Chennai 600 009.
2. The Director General of Police
Police No.1, Kamarajar Salai
Chennai 600 004.
3. The Commissioner of Police
E.V.S. Sampath Road
Vepery, Chennai 600 007.
4. The Public Prosecutor,
High Court of Madras,
Madras.



WEB COPY



8 of 8

N. ANAND VENKATESH., J.
KP

W.P No.14503 of 2022

26.07.2023