



WEB COPY



W.P.No.21669 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.21669 of 2023
and W.M.P.No.21043 of 2023

Film & Television Producers' Guild of South India,
Rep. by its President, Dr.Jaguar Thangam .. Petitioner

Versus

1. The State rep. by Inspector of Police,
Law & Order,
R-1, Mambalam Police Station,
T.Nagar, Chennai - 600 017.
2. The Revenue Division Officer,
South Chennai Division, Guindy,
Chennai - 600 032. .. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to give Police protection to the property of the petitioner Guild, its President and its staff for implementing the various orders passed by this Court, until such time the Convenors appointed by the Division Bench of this Court in O.S.A.No.371 of 2018 conducts the election and new office bearers take over the functioning of the petitioner Guild.

For Petitioner : M/s.R.Maheswari

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor,
for R1 & R2



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ORDER

This Writ Petition has been filed for a direction to the first respondent Police to give Police protection to the property of the petitioner and to permit the staff from functioning, pursuant to the complaint given by the petitioner on 14.07.2023.

2. Heard M/s.R.Maheswari, learned Counsel for the petitioner, Mr.A.Damodaran, learned Additional Public Prosecutor for the respondents.

3. The facts leading to the filing of the present Writ Petition is sufficiently covered in the earlier order passed by this Court in W.P.No.17496 of 2023 and CrI.O.P.No.13504 of 2023, dated 30.06.2023. This Court, after considering rival contentions, issued the following direction :-

" **26.** Accordingly, this Court directs the 2nd respondent in W.P.No.17496 of 2023 to unseal the premises and hand over the possession to the petitioner, who in co-operation with the Secretary and Treasurer has to run the affairs of



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the guild till the new office bearers are elected in the ensuing election."

4. The grievance of the petitioner is that inspite of the above direction issued by this Court, some vested interests are preventing the office from functioning and they have involved in violence and a complaint given to the first respondent Police also did not yield any result and hence the present Writ Petition has been filed before this Court.

5. The learned Additional Public Prosecutor on instructions submitted that the petitioner was directed to co-operate with the Secretary and Treasurer and run the affairs of the Guild till the new officer bearers are elected. The learned Additional Public Prosecutor submitted that the new office bearers are yet to take charge. However, the petitioner is preventing the Secretary and Treasurer from entering the office and hence there is some unrest. In view of the same, the second respondent sealed the premises in order to avoid any untoward incidents.

6. The learned Counsel for the petitioner submitted that the Treasurer is no more and it is only the Secretary who is available and that the



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petitioner never prevented the Secretary from entering into the office in order to run the affairs of the Guild. The learned Counsel submitted that third parties are involving in violence and are preventing the office from functioning.

7. In the considered view of this Court, the earlier order passed by this Court on 30.06.2023 clearly captures the issue on hand. This Court had specifically directed the petitioner to run the affairs of the Guild in co-operation with the Secretary and Treasurer. If the treasurer has already expired, the Secretary has to be necessarily permitted to participate in running the affairs of the Guild. This is only a temporary arrangement till the new office bearers take charge of the affairs of the Guild. The learned Counsel for the petitioner made a specific submission to the effect that the Secretary was not prevented from entering into the office and from participating in the affairs of the Guild. The said submission is hereby recorded.

8. In the light of the above discussion, there shall be a direction to the petitioner to permit the Secretary to participate in the affairs of the Guild.



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Since the Treasurer has already expired, the petitioner and the Secretary along with the staff members shall run the affairs of the Guild till the new office bearers take charge. It is further made clear that no one else will be allowed to enter the office. This temporary arrangement shall not be disturbed and if any attempt is made to create a law and order problem, the first respondent shall take immediate action and if required, Police protection shall also be given.

9. This Writ Petition is disposed off with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

24.07.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Public Prosecutor,
High Court of Madras.
2. The Inspector of Police,
Law & Order,
R-1, Mambalam Police Station,
T.Nagar, Chennai - 600 017.



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3. The Revenue Division Officer,
South Chennai Division, Guindy,
Chennai - 600 032.



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N.ANAND VENKATESH, J.
grs

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