



W.P.No.23598 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23598 of 2023
and W.M.P.No.23118 of 2023

D.Mahendra Kumar

..Petitioner

Versus

1. State Rep By
The Deputy Commissioner of Police,
B-1, Police Station,
Rajaji Salai, Chennai - 600 001.
2. The Assistant Commissioner of Police,
Flower Bazar Range,
C-1 Police Station,
Chennai - 600 001.
3. The Inspector of Police,
C-1, Flower Bazaar Police Station,
Chennai - 600 001.
4. The Commissioner,
Corporation of Chennai,
Chennai - 600 003.

5. B.K.Rajkumar Bhowmick

6. B.K.Anand Kumar Bhowmick

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to act



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in accordance with DGP Standing Instruction No.21/2013, dated 09.05.2013 by taking appropriate action against the trespasser respondents 5 and 6, thereby provide adequate Police protection to the petitioner, the petitioner's family and the petitioner's property situated at No.12, Kasi Chetty Street, Sowcarpet, Chennai - 600 079 in light of order dated 19.01.2023 passed by the High Court at Madras in C.R.P.No.108 of 2023 and confirmed by the Hon'ble Supreme Court by order 27.02.2023 in S.L.P.(C).No.3768 of 2023.

For Petitioner : Mr.Abudu Kumar Rajarathinam,
Senior Counsel,
for Mr.S.Ashok Kumar

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl. Side) ,
for RR-1 to 4

: Mr.Ashok Menon, for RR-5 and 6

ORDER

In continuation to the earlier orders passed by this Court on 09.08.2023, 25.08.2023 and 15.09.2023, the matter was posted for hearing today.

2. When the matter is taken up for hearing, the respondents 5 and 6 have individually filed undertaking affidavit. The relevant portion in the undertaking affidavit of the fifth respondent is extracted hereunder:-

" 1. I am the 5th Respondent herein,
and as such I am well acquainted with the facts of
the case.



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2. *I undertake not to interfere in any manner with the possession and enjoyment by the Petitioner herein of premises bearing Door No.12, Kasi Chetty Street, Sowcarpet, Chennai - 600 079."*

3. The relevant portion in the affidavit filed by the sixth respondent is extracted hereunder:-

" 1. *I am the 6th Respondent herein, and as such I am well acquainted with the facts of the case.*

2. *I undertake not to interfere in any manner with the possession and enjoyment by the Petitioner herein of premises bearing Door No.12, Kasi Chetty Street, Sowcarpet, Chennai - 600 079."*

4. The respondents 5 and 6 are also present before this Court at the time of hearing. In view of the specific undertaking given by the respondents 5 and 6, this Court does not want to proceed further against them and it will suffice to once again warn the respondents 5 and 6 that they should strictly abide by the undertaking given before this Court.

5. This Writ Petition is disposed off accordingly. No costs. Consequently, connected miscellaneous petition is closed.



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Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

grs

To

1. The Deputy Commissioner of Police,
B-1, Police Station,
Rajaji Salai, Chennai - 600 001.
2. The Assistant Commissioner of Police,
Flower Bazar Range,
C-1 Police Station,
Chennai _ 600 001.
3. The Inspector of Police,
C-1, Flower Bazaar Police Station,
Chennai - 600 001.
4. The Commissioner,
Corporation of Chennai,
Chennai - 600 003.
5. The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH, J.

grs

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and W.M.P.No.23118 of 2023

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