



WEB COPY



W.P.No.1236 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

W.P.No.1236 of 2023

R.Ramani
..Petitioner

Vs.

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Nagapattinam District.

2. The Inspector of Police,
Kilvelur Police Station,
Nagapattinam District.

3. Gunasalini ...Respondents.

PRAYER: Writ Petition filed under Article 226 of Constitution of India
pleaded to issue a Writ of Mandamus directing the 2nd respondent to give
protection to death anniversary of the deceased mother R.Muthulakshmi on
01.02.2023 by considering the petitioner representation dated 29.11.2022

For Petitioners : Mr.T.Dharani

For R1 & R2 : Mr.S.Santhosh
Government Advocate (Crl. Side)



W.P.No.1236 of 2023

WEB COPY

ORDER

This Writ Petition has been filed to issue direction to 2nd respondent to give protection to death anniversary of the deceased mother R.Muthulakshmi on 01.02.2023 by considering the petitioner representation dated 29.11.2022.

2.The learned counsel for the petitioner submitted that the death ceremony of the petitioner's mother falls on 12.03.2022. Petitioner's mother lived at No.1/282, Vellan Steet, Andhkudi Village, Keezhvelur Talukm Nagapattinam. Already, 3rd respondent is in possession of this property and she prevents the petitioner from celebrating the death anniversary of the petitioner's mother. Therefore, present petition is filed.

3. In response, the learned Government Advocate (Crl.Side) appearing for the respondent submitted that 3rd respondent is the relative of the petitioner and she is residing in the property.



W.P.No.1236 of 2023

WEB COPY

4. Heard the submissions of the learned counsel appearing for both the parties. It is seen from the submission of the learned counsel for the petitioner that the petitioner filed suit in O.S.No.231 of 2022 on the file of the Sub Court, Nagapattinam seeking relief of declaration in respect of the above said property and other reliefs. Already Civil Suit is pending and it is admitted that 3rd respondent is residing in the property. Therefore, permission sought for police protection for celebrating death anniversary in the said property cannot be entertained.

5. Accordingly, this Writ Petition is dismissed.

19.01.2023

Index : Yes / No
Internet : Yes / No
Sma



WEB COPY



W.P.No.1236 of 2023

G.CHANDRASEKHARAN,J.

Sma

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Nagapattinam District.
2. The Inspector of Police,
Kilvelur Police Station,
Nagapattinam District.
3. The Public Prosecutor,
High Court of Madras.

W.P.No.1236 of 2023

19.01.2023