



WP(MD). No.15663 of 2021 and CRL OP(MD).No.7972 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Wednesday, the Twentieth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

WP(MD). No.15663 of 2021 and CRL OP(MD).No.7972 of 2021

W.P.(MD).No.15663 of 2021

Bro.Yesudass,
Correspondent, St. Francis Matric School,
Sarakkalvilai,
Nagercoil,
Kanyakumari District. ... Petitioner

..Vs..

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Nagercoil.

2.Bro.R.Antony Prabhu
3.V.Ranjith Kumar
4.Remila Balsi
5.Bro.Savarimuthu ... Respondents

(R5 is impleaded vide Court order dated 20.09.2021 in W.M.P(MD).No.13477 of 2021 in W.P.(MD).No.15663 of 2021)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari, calling for the entire records in connection with the impugned order passed by the first respondent vide his proceedings Ref.No.A3/1659/2021 dated 25.08.2021, and to quash the same.



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Bro.Yesudass,
Correspondent, St. Francis Matric School,
Sarakkalvilai,
Nagercoil,
Kanyakumari District. ... Petitioner

..Vs..

1.The Superintendent of Police,
Kanyakumari District,
Kanyakumari.

2.The Deputy Superintendent of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.

3.The Inspector of Police,
Kottar Police Station,
Kanyakumari.

4.Bro.R.Antony Prabu
5.Remila Palsi
6.V.Ranjithkuamr
7.Ranjith

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to issue an order of direction, directing the third respondent to give adequate police protection to the school, students, teachers, this petitioner and other office bearers from the illegal activities of 4 to 7 respondents and their henchmen and to take appropriate action against them.

ORDER:- These Petitions are coming on for orders under the caption "For reporting compliance" on this day and upon perusing the petitions and the affidavit filed in



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support thereof and upon hearing the arguments of Mr.Niranjan S.Kumar, Advocate for the Petitioner in both the cases, Mr.E.Antony Sahaya Prabhar, Additional Public Prosecutor for Respondent No.1 in WP(MD).15663 of 2021 and for Respondents No.1 to 3 in CRL OP(MD).No.7972 of 2021, Mr.S.Muthumalai Raja, Advocate for the Respondent No.2 in WP(MD).15663 of 2021 and for Respondent No.4 in CRL OP(MD).No.7972 of 2021, Mr.J.William Christopher, Advocate for Respondent No.5 in WP(MD).15663 of 2021 ,none having appeared for the Respondents NO.3 and 4 in WP(MD).15663 of 2021 and for Respondents No.5 to 7 in CRL OP(MD).No.7972 of 2021, this Court made the following order:

Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor, on instructions from the Superintendent of Police, Kanniyakumari District submitted that now the 5th respondent is not holding the present post. Hence, he is unable to handover the possession to the 5th respondent/Bro. Savarimuthu.

2. The learned counsel for the petitioner in W.P(MD)No.15663 of 2021 submitted that due to the administrative reasons, the 5th respondent/Bro. Savarimuth is now replaced by Bro.Panneerselvam, who is now the present Regional Superior of the Franciscan Missionary Brothers.

3. It is represented by the learned Additional Public Prosecutor that the



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presence of the Revenue Divisional Officer is necessary in this case on the ground that already there is an allegation that some of the School records found missing from the School. In the said circumstances, in the interest of justice, this Court directs the first respondent in the W.P(MD)No.15663/2021/Revenue Divisional Officer, Nagercoil, to assist the Superintendent of Police, Kanniyakumari District, in all manner, more particularly, to take the photographs and also to prepare the inventory with the help of his subordinates and handover the possession of St.Francis Martric Shool at Sarakkalvilai to Bro.Pannerselvam, who is now the Regional Superior of the Francisan Missionary Brothers.

4. Bro.Panneerselvam is directed to receive the possession from the Superintendent of Police, Kanniyakumari District as well as the Revenue Divisional Officer, Nagercoil.

Post this case for 'reporting compliance' on 22.12.2023.

Sd/-

Assistant Registrar (AS)

// True Copy //

/12/2023

Sub Assistant Registrar(CS)



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TO

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1.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Nagercoil.

2. The Superintendent of Police,
Kanniyakumari District,Kanyakumari

3.The Deputy Superintendent of Police,
District Crime Branch,
Nagerkoil, Kanyakumari District.

4.The Inspector of Police,
Kottar Police Station,
Kanyakumari.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

6. Bro.Panneerselvam,
Regional Superior
St. John DeBritto Region,
TamilNadu
St. Franciscan Missionary Brothers,
No.30/6B, Sanmuga Nagar,
West Extension,
Uyyakondan Thirumalai,
Trichy-620102.

Copy to

1.The Section Officer, Writ Section,
Madurai Bench of Madras High Court, Madurai.
(for reporting compliance&Posting on 22/11/2023)



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2.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.
(for reporting compliance & Posting on 22/11/2023)

+1 CC to Mr.S.MuthumaliRaja , Advc,SR No. 57744

+1 CC to Mr.J.William Christopher , Advc,SR No. 57710

+1 CC to M/s.NIRANJAN S.KUMAR, Advocate (SR-18069[I] dated 20/12/2023)

ORDER DATED : 20/12/2023

NEXT DATE : 22/12/2023

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ORDER

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WP(MD). No.15663 of 2021

and

CRL OP(MD).No.7972 of 2021

Giving direction and etc.

as stated within.

KB(20.12.2023) 6P 12C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

<https://www.mhc.tn.gov.in/judis>