



W.P.(MD)No.21236 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 31.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.21236 of 2023

Kadarsha

... Petitioner

Vs

1.The Superintendent of Police,
Pudukottai District.

2.The Inspector of Police,
Keeramangalam Police Station,
Pudukottai District.

3.Umar Kathab

4.Sameera Banu

5.Nagoorammal

6.Asik Ahamed

7.Bayisha

8.Kaja Mydheen

9.Asarudheen

10.Mohamed Firdhouse

11.Naina Mohamed

12.Mohamed Ibrahim

13.Sherk Dawood

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide police protection to life and limb of the petitioner and his family and consequently direct the respondents to take appropriate action based on the petitioner's petition dated 27/08/2023.

For Petitioner : Mr.RM.Arun Swaminathan

For R-1 & R-2 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

ORDER

This petition is filed under Article 226 of the Constitution of India seeking for a Mandamus to the respondent Police to initiate action basing on the complaint given by the petitioner.

2. It is submitted by learned counsel for the petitioner that the petitioner has filed a Public Interest Litigation on the file of this Court in respect of the encroachment of water bodies and making all the encroachers as one of the parties and ultimately, the matter was taken and heard by this Court and feeling aggrieved by the proactive of the petitioner, the persons, who are stated to be accused in this case, have assaulted, beat, threatened and frighten the petitioner and caused injuries to the *defacto* complainant and others. The petitioner and his family members, have received injuries and admitted in the



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hospital and in spite of that, even after filing of a complaint, requesting the respondent Police repeatedly, but, the respondent Police have not taken any action.

3. Learned Government Advocate (Criminal Side) fairly submits that, the complaint, dated 27.08.2023, is originally registered as FIR in Crime No.127 of 2023 for the offences under Sections 294 (b), 323 and 324 of I.P.C. and investigation is in progress. It is submitted further that, even in the hospital also, the persons, who are aggrieved by the actions of the petitioner, have assaulted the petitioner, basing on which, one more complaint is given. In respect of the alleged incident happened in the hospital, the respondent Police have registered the complaint as C.S.R.No.967 of 2023 against the present petitioner.

4. In view of the submissions made by the learned Government Advocate (Criminal Side), since the complaint of the petitioner, dated 27.08.2023, has already been registered as Crime No.127 of 2023, this petition is disposed of, directing the respondent Police to expedite the investigation. The petitioner's counsel expresses that there is a threat to the petitioner, thereby, sought for police protection. In case, if the petitioner feels any threat from the unofficial respondent or any person, he is at liberty to move an application



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before the respondent Police and the respondent Police are directed to consider

the same. No costs.

31.08.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

1.The Superintendent of Police,
Pudukottai District.

2.The Inspector of Police,
Keeramangalam Police Station,
Pudukottai District.

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



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DR.D.NAGARJUN, J.

tsg

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