

D/L. 8.
February 19, 2024.
MNS.

WPA No. 10273 of 2023

Miss Shagufta Sulaiman
Vs.
The State of West Bengal and others

Miss. Shagufta Sulaiman

... petitioner in person.

Mr. Amal Kumar Sen,
Mr. Lal Mohan Basu

...for the State.

1. The exception to the report of the Commissioner of Police filed today be kept on record.
2. The petitioner's grievances are manifold. It is alleged that drug-peddling activities are going on in the locality, where some of the private respondents, under the umbrella provided by the local Councillor, are involved. It is further alleged that sound pollution norms are being violated at the will of the private respondents and other miscreants.
3. It is also alleged that the petitioner is being threatened occasionally, upon which the police officers are merely advising the petitioner to have recordings.
4. The petitioner also alleges that many hooligans are roaming around in the area

where she resides and there is land-grabbing going on. It is also alleged that one person was murdered in the context.

5. Learned counsel appearing for the State submits that round-the-clock police protection has been given to the petitioner as per the direction of this Court and CCTVs have been installed, although the petitioner contends that the CCTV installed do not cover all the entrances to the petitioner's residence.
6. That apart, learned counsel for the State contends that a lady police officer the Detective Department, who is in charge of the Women's Grievance Cell, is personally in charge of the vigil being kept regarding the petitioner's security.
7. With regard to the alleged drug peddling, it is contended that two persons have been apprehended on charges of drug peddling and it is admitted that the stimulus provided by the petitioner in making the complaints was instrumental in taking such steps against the drug peddling.
8. As to the loud din in the area and other hustle-bustle going on there, it is argued that the area is quite congested and, as such, such issues cannot be combated by the police directly.

9. Although the petitioner is not totally satisfied with the work done by the police, since in her perception, the appropriate miscreants have not been named in the FIR regarding drug peddling and sufficient protection is not being given by the police, the said perception cannot be said to be totally correct from the report of the Commissioner of Police and the exception filed thereto, which are on record.
10. Since the area is a congested one and an amount of loud noise and congestion in the area cannot be avoided, the said issue is a social one and cannot be dealt with by the writ court, which cannot act as a Messiah, since it is restricted to adjudicating only the matter before it.
11. Insofar as police protection is concerned, I am satisfied that since a lady police officer of the Detective Department, Lalbazar, who is in Charge of the Women's Cell, is present and in charge of the security of the petitioner and is monitoring the same through the local police, there is no present apprehension of any misdeed being committed against the petitioner.
12. However, the petitioner is at all points of time at liberty to approach the concerned Magistrate with the grievance that the proper

offenders have not been impleaded in the FIRs and that the appropriate charges have not been levelled against them.

13. Insofar as the violation of sound pollution norms, the petitioner is also at liberty to approach the Pollution Control Board for taking due measures in that regard.

14. Insofar as the illegal construction being allegedly made in the area is concerned, the petitioner will be at liberty to approach the concerned authority of the Kolkata Municipal Corporation in that regard.

15. However, all these allegations are distinct and separate in nature and fall within the domain of different statutes and authorities. As such, they cannot be clubbed in a single writ petition merely on the apprehension of the petitioner. The petitioner can at any point of time take recourse to appropriate provisions of law with regard to each of the allegations indicated above.

16. Insofar as the police vigil regarding the security of the petitioner is concerned, the Detective Department, Lalbazar, through a lady police officer, preferably the lady officer who is in charge of affairs at present and/or any next incumbent coming in her place, shall personally keep the vigil on through police

officers regarding the security of the petitioner.

Such vigil shall be kept up for a month from date with the assistance of the local police station.

17.If, within a month, no untoward incident happens with regard to the petitioner, the local police station shall thereafter keep its eyes open as to the complaints lodged from time to time by the petitioner, if any, regarding her security. If such a complaint is made and a threat perception is there, the local police station, that is, the Park Street Police Station, shall immediately take steps in that regard to ensure that the petitioner's life, limb and property are duly protected.

18.Nothing in this order shall prevent the petitioner, however, from approaching the police in accordance with law, if she has any further grievance in any of the above regards.

19.However, there is no further necessity to keep the writ petition pending.

20.Accordingly, WPA No. 10273 of 2023 is disposed of by keeping on record the report of the Commissioner of Police and the exception to the said report by the petitioner respectively and in the light of the above observations.

21.In view of the disposal of the writ petition, CAN 1 of 2023 is also disposed of.

22. There will be no order as to costs.

23. Urgent photostat certified copies of this order,
if applied for, be made available to the parties
upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)