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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.440 of 2024

M/s.Murthuzaviya Charitable Educational & Cultural Foundation of South India
Duly rep. by its Joint Secretary Mr.Ameer Ahamed Munaff
No.12/186, Big Street,
Triplicane,
Chennai – 600 005.

... Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
D-1, Triplicane Police Station,
Wallajah Road,
Chennai – 600 005.

2.Mr.Walliullah Khadri

...Respondents

PRAYER : Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents police to provide police protection to M/s.Murthuzaviya Charitable Educational & Cultural Foundation of South India and its office bearers from the 2nd respondent and his men for effective functioning of M/s.Murthuzaviya Charitable Educational & Cultural Foundation of South India.

For Petitioner : Mr.V.S.Senthil Kumar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1



ORDER

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This writ petition has been filed for issue of writ of mandamus directing the respondent police to provide police protection to the petitioner in order to enable the petitioner to effectively run the educational institution.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor on instructions submitted that based on the earlier complaint, an FIR came to be registered in Crime No.527 of 2023 on 21.11.2023 and the investigation is pending.

3. The learned counsel for the petitioner submitted that in spite of the pendency of the investigation, the accused person is continuing to cause threat and disturbing the functioning of the educational institution. When the complaint was given in this regard, the 1st respondent was not even willing to take the complaint on file and to enquire. Under these circumstances, the present writ petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case and the nature of the grievance that has been expressed by the petitioner, there shall be a direction to the petitioner to submit a fresh complaint before the 1st respondent. The 1st respondent on receipt of the complaint shall conduct an enquiry by calling the petitioner and the 2nd



respondent. Thereafter, the 1st respondent shall take a decision strictly in accordance with law, within a period of two weeks from the date of receipt of the copy of the fresh complaint from the petitioner.

5.This writ petition is disposed of with the above directions. No Costs.

10.01.2024

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr

Note: Issue Order Copy on 12.01.2024

To

1.The Inspector of Police,
D-1, Triplicane Police Station,
Wallajah Road,
Chennai – 600 005.

2.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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