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W.P.No.14742 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.14742 of 2024

K.Sivakumar, M/A 46 years,
Advocate,
S/o.Krishnamurthy,
Iswarya Nivdha Apartment,
No.11, Bharathi Street,
Seetha Pattabi Nagar,
Ayapakkam, Chennai – 600 077.

... Petitioner

/versus/

1. The State Rep. by
Avadi Commissioner of Police,
Chennai – 54.

2. The Inspector of Police,
T.9, Pattabiram Police Station,
Chennai – 72.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the representation dated 17.05.2024 in accordance with law by providing police protection to hold birth day function of the petitioner in favour of Elangovan, Advocate on 15.06.2024 at Venkateswara Marriage Hall, CTH Road, Pattabiram at 5.00 P.M to distribute the welfare measures in favour of children of Corporation Arunthaiar Community and other welfare measure for the poor and needy to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu



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

ORDER

This Writ Petition is filed directing the respondents to consider the representation dated 17.05.2024 in accordance with law by providing police protection to hold birth day function of the petitioner in favour of Elangovan, Advocate on 15.06.2024 at Venkateswara Marriage Hall, CTH Road, Pattabiram at 5.00 P.M to distribute the welfare measures in favour of children of Corporation Arunthaiar Community.

2. This petition is filed seeking police protection to celebrate his birthday. The very request appears to be dubious. It is noticed that under the guise of celebrating birthday, the rowdy elements are causing ruckus in the public road and cut cake with long knife and weapons.

3. The Learned Government Advocate (Crl.Side) appearing for the 1st respondent states that the petitioner, who claims to be an Advocate, last year celebrated his birthday in the public road causing traffic disturbance for three kilometers.



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4. This Court is of the view that social functions like birthday celebration cannot be celebrated in any manner causing nuisance to the public and for that purpose, the celebrators cannot be provided with police protection.

5. Hence, this Writ Petition is dismissed. No costs. Despite this order, if the petitioner proceed and cause threat of nuisance to the public under the guise of birthday celebration, the Police has to take necessary action in accordance with law.

07.06.2024

Index : Yes/No.

Neutral Citation : Yes/No.

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Copy to:-

1. The Avadi Commissioner of Police,
Chennai – 54.

2. The Inspector of Police,
T.9, Pattabiram Police Station,
Chennai – 72.

3. The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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