



W.P.(MD)No.21410 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.21410 of 2023

Godfrey Noble

... Petitioner

Vs.

1. The Commissioner of Police,
Tirunelveli City, Tirunelveli.

2. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.

3. The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.

(R3 is *suo motu* Impleaded vide Court order dated
29.11.2023 in W.P(MD) No.21410/2023)

4. The Superintendent of Police,
O/o. The Superintendent of Police,
Tirunelveli District.

(R4 is *suo motu* impleaded by this Order) ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to provide adequate police protection to the file and limb of the Petitioner by



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W.P.(MD)No.21410 of 2023

considering the representation given by the Petitioner dated 04.07.2023.

For Petitioner : Mr.Godfrey Noble (Party-in-person)

For Respondents : Mr.S.Ravi
Additional Public Prosecutor

ORDER

The Superintendent of Police, Office of the Superintendent of Police, Tirunelveli District, is *suo motu* added as the fourth respondent in this writ petition.

2.This writ petition has been filed by the petitioner seeking for providing police protection to his life and limb by considering the representation made by the petitioner on 04.07.2023. The specific case of the petitioner is that there are pending disputes between two factions of C.S.I Diocese. The petitioner belongs to one faction. The other faction is headed by a person who was formerly a Member of Parliament. On 25.06.2023, when the petitioner went to the diocese, he was brutally attacked by the rowdy elements on the instigation made by the other faction. Thereafter, the petitioner also started receiving life threats. This incident gave rise to the registration of an FIR in Crime No.728 of 2023



W.P.(MD)No.21410 of 2023

by the second respondent as against 13 named accused persons and 20 others for offences under Sections 147, 294(b), 323, 506(i) and 109 of IPC.

3.The grievance of the petitioner is that there was a potential life threat and he sent representation to the respondents seeking for police protection. Since the same was not considered, the present writ petition has been filed before this Court.

4.When the matter came up for hearing on 08.11.2024, this Court passed the following order:

“The petitioner, who appeared in person, submitted that there is a potential life threat to him and therefore, police protection is required.

2. The petitioner in order to substantiate his submissions relied upon various documents.

3. The learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that he has not received any latest instructions in this case and



W.P.(MD)No.21410 of 2023

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previously, he was instructed that there is no life threat to the petitioner.

4. Considering the grievance expressed by the petitioner, there shall be a direction to the impleaded third respondent to file an affidavit before this Court on the grievance expressed by the petitioner. Based on the same, final orders will be passed in this Writ Petition.

5. Registry is directed to post this writ petition 'for hearing' on 15.11.2024."

5. When the matter was listed for hearing today, the learned Additional Public Prosecutor produced the report of the third respondent.

6. The petitioner, who is present in person, submitted that the investigation has been completed and a police report has already been filed before the learned Judicial Magistrate No.1, Tirunelveli and it was taken on file in C.C.No.1287 of 2024. The petitioner submitted that after the final report was filed, the threat perspective has enhanced and as of now, some police constable is only maintaining a patta book which is



W.P.(MD)No.21410 of 2023

signed on a daily basis. The petitioner submits that he requires a personal security officer since there is a potential threat to prevent the petitioner from prosecuting the criminal case. The petitioner further submits that on three earlier occasions, he was provided with the personal security officer.

7.The learned Additional Public Prosecutor submitted that the decision regarding providing police protection has to be taken only by concerned Superintendent of Police. In the instant case, the impleaded fourth respondent alone has to consider the request made by the petitioner.

8.In reply to the above submission, the petitioner submitted that the Director General of Police has already directed the concerned Superintendent of Police to take necessary action on the representation made by the petitioner for providing security.

9.In the considered view of this Court, the impleaded fourth respondent has to take a conscious decision on the request made by the



W.P.(MD)No.21410 of 2023

petitioner. The petitioner is having certain materials to substantiate the fact that there is some life threat. All those materials can be placed before the impleaded fourth respondent who can take a decision within a time frame fixed by this Court with respect to providing personal security officer to the petitioner.

10.In the light of the above discussion, there shall be a direction to the petitioner to immediately submit a representation before the impleaded fourth respondent along with all the relevant materials. The fourth respondent, on receipt of the representation, shall conduct an enquiry and shall take a decision with respect to providing personal security officer to the petitioner within a period of four weeks from the date of receipt of the fresh representation from the petitioner.

11.This writ petition stands disposed of with the above directions.

15.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PKN



W.P.(MD)No.21410 of 2023

To

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3. The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.
4. The Superintendent of Police,
O/o. The Superintendent of Police,
Tirunelveli District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.(MD)No.21410 of 2023

N.ANAND VENKATESH,J.

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W.P.(MD)No.21410 of 2023

Dated: 15.11.2024