



W.P.(MD)No.23721 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.23721 of 2024

and

W.M.P.(MD)No.20087 of 2024

M.Muthuselvam

... Petitioner

Vs.

- 1.The Director General of Police,
Tamil Nadu Police Department,
Post Box No.601,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.
- 2.The Superintendent of Police,
O/o. District Superintendent of Police,
Madurai District.
- 3.The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.
- 4.The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
- 5.C.Selvakumar
- 6.Kayalvizhi

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking to direct the respondents 1 to 4 to provide Police protection to the petitioner's life and to his family, based on his representation dated 21.08.2024, within a time frame as may be fixed by this Court.

For Petitioner : Mr.A.Naveenprasath
For R1 to R4 : Mr.K.Sanjai Gandhi
Government Advocate
(Criminal Side)
For R5 and R6 : Mr.Pandiyan

ORDER

The petitioner submitted a representation on 21.08.2024 to the Superintendent of Police (second respondent herein), seeking Police protection due to apprehensions of bodily harm at the hands of respondents 5 and 6.

2. The learned counsel for the petitioner submitted that the fifth respondent is an advocate with whom the petitioner had a misunderstanding. The fifth respondent is practicing in the local Courts and has filed a defamation case (S.T.C.No.1756 of 2023) against the petitioner, in response to which the petitioner had approached this Court



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and obtained a protection order. Based on these circumstances, the petitioner apprehends that he may be attacked.

3. The learned Government Advocate (Criminal side), on instructions from respondents 1 to 4, submitted that the fifth respondent, even before being enrolled as an advocate, had been giving legal advice and presenting himself as a legal practitioner. It was further stated that local villagers had lodged a complaint against the fifth respondent. Further, the fifth respondent had submitted a representation to the Bar Council, based on a complaint in Crime No. 682 of 2022 objecting to his enrollment. Notwithstanding these objections, the fifth respondent has since been enrolled and is now practicing as an advocate.

4. The learned Government Advocate (Criminal side) further submitted that previously, the petitioner had been involved in a dispute with the fifth respondent, and his apprehension now is that, since the fifth respondent has been enrolled as an advocate, he may be harmed by him. As of now, there is no complaint or petition pending against the fifth respondent. However, should any specific incident, along with



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details, be brought to the attention of the respondent Police, appropriate action will be taken.

5. The learned counsel for the fifth respondent submitted that the fifth respondent hails from a marginalized section of society and, with great difficulty, completed his law studies. Even during his study in law course, he was providing legal advice to villagers and raising his voice against suppression and oppression, which led him to earn many enemies. The fifth respondent has no connection with the petitioner. The petitioner, along with others in the Village, had raised objections when the fifth respondent sought to be enrolled as an advocate. However, these objections have been overruled, and the fifth respondent is now enrolled and practicing as an advocate. The fifth respondent has not caused any threat or obstruction, as alleged by the petitioner. Furthermore, the learned counsel emphasized that the fifth respondent is fully occupied with his profession and has no involvement with the petitioner.

6. Considering the submissions and on perusal of the materials, it is evident that the fifth respondent is currently enrolled and practicing as



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an advocate. Furthermore, the fifth respondent has provided a specific undertaking affirming that he has no connection with the petitioner and that he is not the cause of any threat or apprehension, as alleged by the petitioner.

7. Recording the above said submission, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

07.11.2024

NCC : Yes / No
Index : Yes / No
smn2

To

- 1.The Director General of Police,
Tamil Nadu Police Department,
Post Box No.601,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.
- 2.The Superintendent of Police,
O/o. District Superintendent of Police,
Madurai District.



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3. The Deputy Superintendent of Police,
Thirumangalam,
Madurai District.
4. The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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Order made in
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Dated: 07.11.2024