

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 404 OF 2008

ARCHBISHOP RAPHAEL CHEENATH S.V.D.

Petitioner(s)

VERSUS

STATE OF ORISSA & ANR.

Respondent(s)

(With office report )

Date: 04/09/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE P. SATHASIVAM  
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. Colin Gonsalves, Sr. Adv.  
Mr. Anup G. Chaudhary, Sr. Adv.  
Mrs. June Chaudhary, Sr. Adv.  
Mr. Prabhat, Adv.  
Mr. M. Shandilya, Adv.  
For Ms.Jyoti Mendiratta,Adv.

For Respondent(s) Mr. Gopal Subramaniam, ASG  
For U.O.I. Ms. Sushma Suri, Adv.

For State Mr. K.K. Venugopal, Sr. Adv.  
Mr. Janaranjan Das, Adv.  
Mr. Swetaketu Mishra, Adv.

UPON hearing counsel the Court made the following  
ORDER

Heard learned senior counsel for the petitioner, learned Additional Solicitor  
General and learned senior counsel appearing for the State.

Pursuant to our directions, Chief Secretary of the State of Orissa has sworn  
an affidavit given all the details taken place in the State of Orissa to control the  
violence erupted

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recently. In the affidavit, it is stated that all possible steps have been taken by the  
Government especially in the Kandhamal District. It is stated that there are 17 police  
stations in the District and in all these police stations necessary officers have been  
deployed and the service of the CRPF, Reserved Armed Forces (RAF) have also been  
obtained and deployed. 15 companies of CRPF, 24 platoons of Orissa State Police

Armed Police (OSAP) and in addition to the District S.P. and other officers has taken adequate steps and has given security to those people visiting as well as for protection of others would be provided. It is also stated, the State will take all possible steps to maintain law and order in the event of any proposed Yatra by any one whatsoever. The State Government has been dealing with all the situations firmly and even handedly and will continue to do so.

Learned Additional Solicitor General submitted that Yesterday the Union Home Minister visited the State of Orissa and even in some of the relief camps and satisfied with the service and they are properly operated. But it is submitted that still tension prevails in the State and adequate CRPF force has already been deployed to help the State Police to maintain the law and order situation and learned senior counsel appearing for the State of Orissa requested that in view of the tension four more new Battalions would be required in the State and learned Additional Solicitor General submits that urgent steps would be taken to deploy the required force.

As regards the proposed Yatra to be organized by the section of the people, it is submitted all possible steps would be

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taken to prevent any Yatra being held and police and other para military forces to make possible steps to prevent any untoward incident being taken place. Section 144 has already been imposed in the State in all the districts where tension prevails.

Learned counsel for the petitioner stated that even Yesterday night some of the houses were burnt out in Tikabali and Daringabadi villages. Learned counsel appearing for the State submitted that so far no such information has been received by them and the matter would be enquired into and urgent steps would be taken in these areas also to prevent any breach of law and order situation.

We hope the State police along with CRPF and other para military forces would ensure the law and order situation and people's life and property will be protected to best of their ability. The State Government would also take urgent steps to see that those who are in the relief camps are protected and no miscreants shall be allowed to visit the camps to create any problem.

Post on 11.9.2008. In the meantime respondent to file affidavit.

(R.K.DHAWAN) (VEERA VERMA)  
COURT MASTER COURT MASTER