

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.05.2016

CORAM

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN

W.P.No.17317 of 2016 &

W.M.P.No.14794 of 2016

Jumma Masjid
Rep.by its Muthavalli
Mr.K.M.Mohideen Kunhi
Old No.178 New No.52, Kutchery Road
Mylapore
Chennai-600 004. ... Petitioner

v.

- 1 The Collector of Chennai
O/o.The Collectorate
Chennai-600 001.
- 2 District Revenue Officer
O/o.the Collectorate
Collectorate Building
Chennai-600 001.
- 3 Tahsildar
Mylapore Triplicane Taluk
Greenways Road
Adyar Chennai-20.
- 4 The Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai- 600 001.
- 5 The Deputy Commissioner of
Police Mylapore Division
Mylapore
Chennai- 600 004.
- 6 The Inspector of Police
E-1 Mylapore Police Station
Mylapore, Chennai-004.

7 Tamil Nadu Wakf Board
Rep.by its Chief Executive Officer
No.1 Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai-001.

8 Mr.Pratapchand Baid

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the 1st respondent to consider our representation dated 21.04.2016 for making a detailed enquiry and give necessary directions to 5th and 6th respondents on the basis of our objections before passing any orders of providing police protection to the 8th respondent.

For Petitioner : Ms.P.T.Asha
for Mr.S.Hussain Afroze

For Respondents : Mr.P.Sanjay Gandhi,
Addl. Govt. Pleader - for R1 to R6

ORDER

The petitioner has come up with this writ petition with a grievance that without impleading the Jumma Masjid as a party, the 8th respondent obtained an order from this Court in CrI.O.P.No.193 of 2013, directing the Inspector of Police, E-1, Mylapore Police Station, Mylapore, Chennai to consider the request for police protection for the construction of a compound wall around the properties bearing New Door Nos.58 & 59, Old Door Nos.1/12 and 2/12, Bazaar Road, Mylapore, Chennai.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader on behalf of the respondents 1 to 6.

3. This court, by order dated 26.8.2013, in CrI.O.P.No.193 of 2013, directed the 8th respondent to submit a representation before the 6th respondent for giving him protection to construct a compound wall. The 6th respondent was directed to consider the application and provide police protection, if the law and order situation so warrants.

4. According to the petitioner, the property in question belongs to Jumma Masjid and as such, the 8th respondent has no authority to put up a compound wall.

5. The only direction given to the Inspector of Police was to consider the representation to be given by the 8th respondent and pass orders thereon with regard to police protection.

6. The petitioner now wanted a hearing before passing any order by the Inspector of Police.

7. The learned Additional Government Pleader submitted that the Inspector of Police would give a hearing to the petitioner before the disposal of the representation filed by the 8th respondent.

8. The 6th respondent is directed to give an opportunity of hearing to the petitioner before passing orders on the representation submitted by the 8th respondent for police protection. It is needless to point out that the 8th respondent also should be heard before taking a decision in the matter.

The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

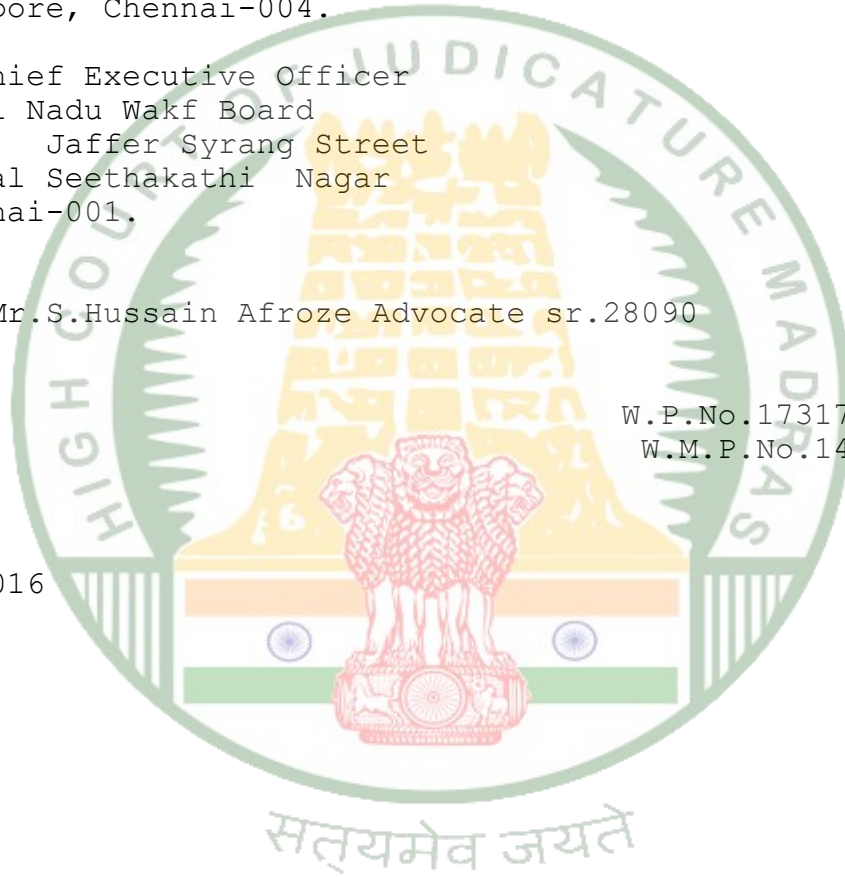
- 1 The Collector of Chennai
O/o.The Collectorate
Chennai-600 001.
- 2 District Revenue Officer
O/o.the Collectorate
Collectorate Building
Chennai-600 001.
- 3 Tahsildar
Mylapore Triplicane Taluk
Greenways Road
Adyar Chennai-20.

- 4 The Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai- 600 001.
- 5 The Deputy Commissioner of
Police Mylapore Division
Mylapore
Chennai- 600 004.
- 6 The Inspector of Police
E-1 Mylapore Police Station
Mylapore, Chennai-004.
- 7 The Chief Executive Officer
Tamil Nadu Wakf Board
No.1 Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai-001.

+1 cc to Mr.S.Hussain Afroze Advocate sr.28090

W.P.No.17317 of 2016 &
W.M.P.No.14794 of 2016

aa06/05/2016



WEB COPY