

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Criminal Original Petition No.2311 of 2016

M.Kaleelur Rahman : Petitioner

Vs.

1.The Commissioner of Police,
Office of Commissioner of Police,
Opposite to Thinathanthi Office,
Vepery,
Chennai.

2.The Deputy Commissioner of Police,
St. Thomas Police Station,
St. Thomas Mount,
Chennai.

3.The Joint Commissioner of Police,
St. Thomas Police Station,
St. Thomas Mount,
Chennai.

4.The Assistant Commissioner of Police,
Madipakkam Police Station,
Madipakkam,
Chennai.

5.The Inspector of Police,
Madipakkam Police Station,
Madipakkam,
Chennai.

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the 4th and 5th respondent to provide protection to the petitioner and mosque on the basis of the requisition of the petitioner dated 09.01.2016.

For Petitioner :Mr.C.V.Kumar

For Respondents :Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the 4th and 5th respondents to provide protection to the petitioner and mosque on the basis of the requisition of the petitioner, dated 09.01.2016.

2.The learned counsel for the petitioner would submit that the petitioner is the Managing Trustee of a religious institution "Rahmania Trust" under the administration of Wakf Board and it has been created in the year 1998 and registered in Doc.No.570/1998. In the year 2001, the Trust purchased the property for construction of the Mosque, after obtaining approval from the Panchayat Union in the year 1985 itself. When they made an attempt to construct the same, one Beer Mohamed and Vijayakumar interfered with and filed a suit in O.S.No.740 of 2006 stating that there is a public Crematorium, adjacent to the mosque. The suit was dismissed, against which, no appeal has been filed. Now, Vijayakumar interfered in the religious functions, during the prayer hours, especially by using unparliamentary words and hence, the petitioner is constrained to file this petition for the abovesaid relief, but the respondents have not considered his representation.

3.The learned Additional Public Prosecutor would submit that the dispute is between two rival religious groups and it is a burning problem and hence, prayed for dismissal.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

5.Considering the facts and circumstances of the case, the 5th respondent is directed to consider the representation given by the petitioner dated 09.01.2016 and pass appropriate orders on merits and in accordance with law.

The Criminal Original Petition is disposed of with the above direction.

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Sd/-
Assistant Registrar(VI)

//True Copy//

Sub Assistant Registrar

To

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Chennai.

5.The Inspector of Police,
Madipakkam Police Station,
Madipakkam,
Chennai.

6.The Additional Public Prosecutor,
Madras High Court,
Madras.

+ 2 ccs to Mr.C.V. Kumar, Advocate SR.6935

Cr1.O.P.No.2311 of 2016

RV(CO)
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