



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Cr1.O.P.(MD) No.14101 of 2016

Janab A.Mohamed Ibrahim

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Assistant Commissioner of Police,
Tallakulam, Madurai City.

3.The Inspector of Police,
Tallakulam Police Station,
Madurai City.

... Respondents

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the Inspector of Police, Tallakulam Police Station, Madurai City, the third respondent herein, to award adequate police protection to the Sandanakoodu Festival (flag Hoisting) including the event of distributing cooked up Briyani to the Members of Goripalayam Muslim Melakara Jamath Uravin Murai at the building of Arabi Madarsha, situated at No.3, Mohamadiar Street, Goripalayam, Madurai, which is scheduled to be taken place from 12.08.2016 to 14.08.2016 on the strength of the representation of the petitioner dated 30.07.2016.

For Petitioner : Mr.R.Anand

For Respondents : Mr.A.P.Balasubramani
Govt. Advocate (Cr1. Side)

O R D E R

The petitioner seeks a direction to the Inspector of Police, Tallakulam Police Station, Madurai City, the third respondent herein, to render adequate police protection to the Sandanakoodu Festival (flag Hoisting) including the event of distributing cooked up Briyani to the Members of Goripalayam Muslim Melakara Jamath Uravin Murai at the building of Arabi Madarsha, situated at No.3, Mohamadiar Street, Goripalayam, Madurai, which is scheduled to be taken place from 12.08.2016 to 14.08.2016 on the strength of his representation dated 30.07.2016.



2. The petitioner is elected as the Secretary of the Wakf Jamath, called, Goripalayam Muslim Melakara Jamath Uravin Murai and there is a dispute pending before the Wakf Board in W.O.P.No.7 of 2011 by the opposite party seeking declaration that they are the founder members and Nattanmaikarars and no order has been passed. In the last year, the petitioner sought for a similar direction by way of the writ petition in W.P(MD)No.13933 of 2013 and CrI.O.P.(MD) No.15147 of 2014 and this Court, by orders, dated 22.08.2013 and 12.08.2014 respectively directed the respondent police to give police protection to the petitioner.

3. In W.P.(MD) No.13933/2013, this Court observed as follows:

"10. The petitioner is at liberty to distribute briyani to the members of Goripalayam Muslim Melakara Jamath Uravin Murai and it is the duty of the respondents police to give police protection and to see that no untoward incident occurred.

11. For proper and orderly distribution of briyani and to prevent any untoward incident, the petitioner is directed to put up appropriate barricades. This order is only interim in nature, pending orders from the Wakf Tribunal. This order will be subject to result of any order to be passed by the Wakf Tribunal. The order of this court is neither victory of the petitioner, nor failure or loosing of the case by the intervenors, and it is only an interim arrangement and no one should be allowed to use crackers and all other things."

4. In CrI.O.P.(MD) No.15147 of 2014 also, a similar direction has been issued.

5. Following the earlier orders, this petition is disposed of with a direction to the respondent police to give protection to the petitioner from 12.08.2016 to 14.08.2016 and to ensure that no untoward incident occur. In order to prevent any untoward incident, the petitioner is directed to put up appropriate barricades, and to take any other appropriate step, depending upon the circumstances.

Sd/-

Assistant Registrar(CS-II)

/TRUE COPY/



To

1.The Commissioner of Police,
Madurai City.

2.The Assistant Commissioner of Police,
Tallakulam,
Madurai City.

3.The Inspector of Police,
Tallakulam Police Station,
Madurai City.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.R.ANAND,ADVOCATE SR NO: 42777

RR

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