

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 27.01.2017

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.1828 of 2017

and

WMP.No.1811 of 2017

M.Javid Ali

... Petitioner

Vs.

1. The District Collector,
District Collectorate Office,
Villupuram District.
2. The District Revenue Officer,
District Collectorate Office Campus,
Villupuram.
3. The Sub Divisional Executive Magistrate
cum Sub Collector,
Tindivanam.
4. The Tahsildar,
Tahsildhar Office,
Gingee,
Villupuram District.
5. The Deputy Superintendent of Police,
Gingee Taluk,
Gingee.
6. The Inspector of Police,
Ananthapuram Police Station,
Gingee Taluk,
Villupuram District.
7. The Chief Executive Officer,
Tamil Nadu Wakf Board,
Chennai-1.
8. The Superintendent of Wakfs,
Villupuram & Cuddalore District,
No.512, Gandhi Street,
Panruti,
Villupuram District.

9. Saravanan

<https://hcservices.ecourts.gov.in/hcservices/>

10.Madhanbalan

11.Durai

12.Kannadasan

13.Thandapani

14.Murugavel

15.Sakhivel

16.Pazhanivel

17.Deivasigamani

18.Pazhani

19.Subramani

20.Sankar

21.Rayar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of Certiorarified Mandamus, calling for the records of the third respondent vide proceeding under Section 107 of Cr.P.C., dated 10.12.2016 forwarded by the fifth respondent and to quash the same and also to direct the respondents 1 to 7 to take action against the encroachers particularly, 8 to 21 respondents for trespassing the Wakf land.

For Petitioner : Mr.G.Mohammed Aseef

For Respondent : Mr.S.Rajeswaran
Nos.1 to 8 Special Government Pleader

O R D E R

This writ petition has been filed by the petitioner, challenging the order of the third respondent vide proceeding under Section 107 of Cr.P.C., dated 10.12.2016 forwarded by the fifth respondent and to quash the same. Further seeking a direction to the respondents 1 to 8 to take action against the encroachers particularly, 9 to 21 respondents for trespassing the Wakf land.

2.Heard the learned counsel for the petitioner as well as the learned Special Government Pleader for the respondents 1 to 8.

3.The order has been passed only to maintain law and order by the authorities concerned under Section 107 of Cr.P.C. Further, the impugned order now before this Court is purely a communication between the Deputy Superintendent of Police, Gingee and the District Collector, Villupuram. Therefore, the petitioner has no locus standi to challenge the said order.

4.Actually, an order has been passed by the Sub Divisional Executive Magistrate and Sub Collector, Tindivanam on 19.12.2016, calling upon the petitioner to attend in person on 26.12.2016 on 11 a.m., to show cause why he should not be required to enter into a bond of Rs.25,000/- to keep peace for a term of one year. According to the petitioner, he attended on 26.12.2016 before the authority concerned and the same has been adjourned. Further notice has not been given to the petitioner. On receipt of notice, the petitioner shall appear before the said authority and he is at liberty to raise all the pleas before the authorities concerned.

5.In view of the foregoing, nothing survives for adjudication in this writ petition. Accordingly, the Writ Petition is dismissed. However, it is made clear that the Wakf authorities shall deal with the property concerned and insofar as the maintenance of law and order, the officials concerned shall take care of the same. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

DP

To

1. The District Collector,
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Villupuram District.
2. The District Revenue Officer,
District Collectorate Office Campus,
Villupuram.
3. The Sub Divisional Executive Magistrate
cum Sub Collector,
Tindivanam.
4. The Tahsildar,
Tahsildhar Office,
Gingee, Villupuram District.

5. The Deputy Superintendent of Police,
Gingee Taluk,
Gingee.

6. The Inspector of Police,
Ananthapuram Police Station,
Gingee Taluk,
Villupuram District.

7. The Chief Executive Officer,
Tamil Nadu Wakf Board,
Chennai-1.

8. The Superintendent of Wakfs,
Villupuram & Cuddalore District,
No.512, Gandhi Street,
Panruti,
Villupuram District.

+1cc to Mr.G.Mohammed Aseef, Advocate, S.R.No.5547

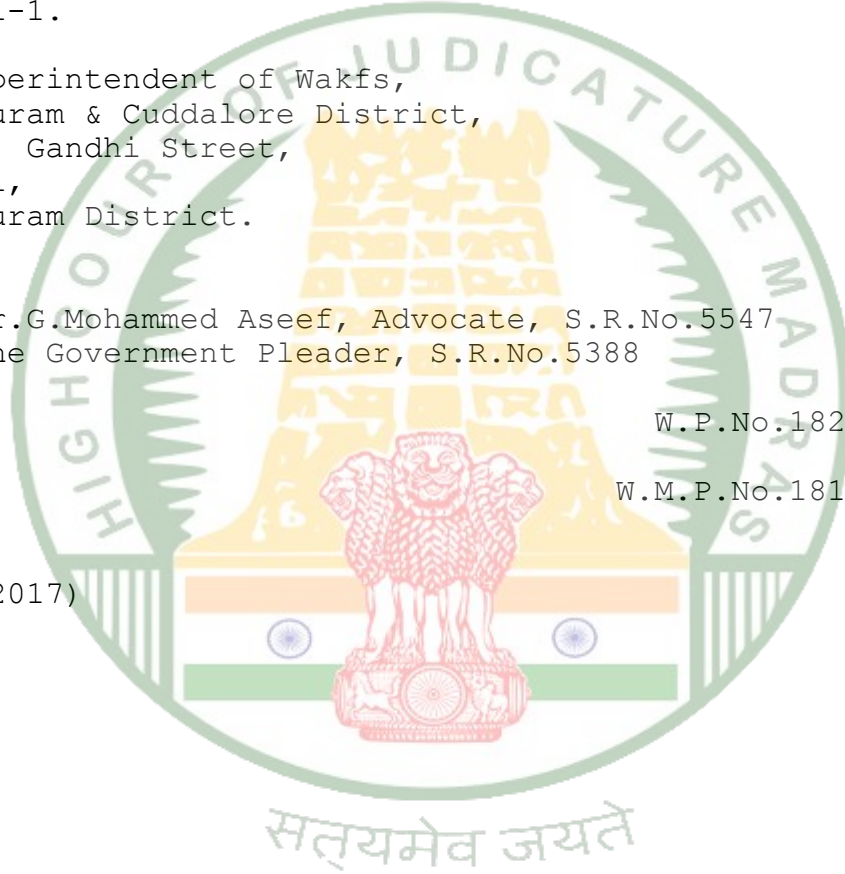
+1cc to the Government Pleader, S.R.No.5388

W.P.No.1828 of 2017

and

W.M.P.No.1811 of 2017

TM(CO)
CA(06/02/2017)



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