



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD).No.14038 of 2017

Syed Sulaiman

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi,
Tirunelveli District.

2.The Inspector of Police,
Tenkasi Police Station,
Tirunelveli District.

3.Abdul Halil

4.Nagoor Meeran

5.Shahul Hameed @ Sait

6.Ahamed Maideen

7.Mohamed Saleem

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 and 2 to provide adequate police protection to the life and limb of the petitioner and his family members by considering the petitioner's representation dated 14.07.2017.

For Petitioner

: Mr.S.M.A.Jinnah

For R1 & R2

: Mr.A.K.Baskarapandian

Special Government Pleader

O R D E R

The writ petition is for issuance of Writ of Mandamus directing the respondents to provide adequate police protection to the life and limb of the petitioner and his family members by considering the representation dated 14.07.2017.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2.

3. In the representation as well as the affidavit filed in the support of this writ petition, the petitioner submitted that he is a member of Tenkasi Pudumai Jamath. It is his further case that there was a



resolution passed by the Jamath Members to conduct the Jamath Election once in three years according to the Scheme Degree. Though he was allowed to participate in the Periya Pallivasal Jamath Election for three times, after the period of Office Bearers was over in the month of December 2016, there were no steps taken to conduct the fresh election for the subsequent period.

4. The learned counsel appearing for the petitioner submitted that several representations have been sent to the Tamil Nadu Wakf Board to conduct election for Office Bearers for Jamath. It is also contended that Wakf Board sent a notice to the Jamath members stating that the period for Officer Bearers was over and further directing them to conduct new election for Office Bearers of the Jamath. It is the further case of the petitioner that there was difference of opinion between the petitioner and other Office Bearers of the Jamath and as a result, the petitioner is being threatened by the Officer Bearers stating that they would foist false cases against the petitioner if he still project the election issue.

5. It is only in this regard, the petitioner states that he was constrained to give representation to the respondents 1 and 2 to give protection to life and limb. In the whole of the affidavit, there was no specific allegation against any individual. Even if there was threat by an individual, a criminal complaint would have been given against the individual and no such complaint was given against any individuals. Therefore, by making vague allegation, the petitioner wants to make out a case that there is an election dispute and that the Office Bearers of the Jamath are continuing even after the expiry of their term long back. It is only in this context, the petitioner submitted that there was some difference of opinion. In the present facts and circumstances of the case, the petitioner has to approach the Civil Court for appropriate direction. The petitioner himself has referred to a Scheme Degree. In such circumstances, the dispute projected before this Court could have been efficiently handled and solved without giving any room for quarrel or confrontation among the members. Since the representation do not disclose any specific offence against any named individual, this Court is not inclined to entertain this writ petition to give direction to the respondents 1 and 2.

6. Accordingly, this writ petition is dismissed as devoid of merits. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar.

To

- 1.The Superintendent of Police, Tenkasi, Tirunelveli District.
 - 2.The Inspector of Police, Tenkasi Police Station, Tirunelveli District.
- +1CC to Mr.S.M.A.Jinnah, Advocate, SR.No.68780

ORDER MADE IN
W.P. (MD).No.14038 of 2017
 28.07.2017