



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.2593 of 2011
and
WP (MD) No.13461 of 2012
and
MP (MD) No.2 of 2011

W.P. (MD) No.2593 of 2011:

E.Abdul Hakim,
President,
Jumma Mosque,
Manachanallur Taluk,
Trichy.

... Petitioner

vs.

1. The District Collector,
Trichy District, Trichy.

2. The Tahsildar,
Manachanallur Taluk,
Trichy District, Trichy.

3.N.Dhanapal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 1st respondent in his proceedings in Na.Ka.No.217/2010/GU.3 dated 27.07.2010 and quash the same as illegal and consequently to direct the 1st and 2nd respondent to accord permission for the construction of the mosque in Survey No.2/1B in Akshya Nagar, Manachanallur Taluk, Trichy District.

For Petitioner

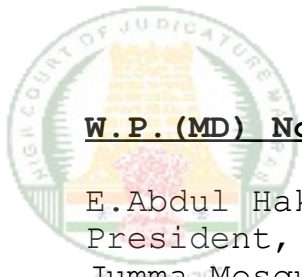
: Mr.Mareeskumar

For R1 & R2

: Mr.T.S.Mohamed Mohideen,
Additional Government Pleader.

For R3

: No Appearance

**W.P. (MD) No.13461 of 2012:**

E.Abdul Hakim,
President,
Jumma Mosque,
No.43/18, North Eari Mission Street,
Manachanallur,
Trichy.

... Petitioner

vs.

The Executive Officer,
Manachanallur Panchayat Union Office,
Manachanallur,
Trichy.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to grant planing approval for the construction of a Madharasa (Theological School) in the land belong to the petitioner in New Survey No.2/1B in Ward No.8 in Manachanallur Panchayat Union, Trichy District by considering the petitioner's representation dated 24.11.2011 within the time that may be stipulated by this Court.

For Petitioner : Mr.Mareeskumar
For Respondent : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader.

COMMON ORDER

WP(MD)No.2593 of 2011 has been filed seeking to quash the proceedings of the first respondent in Na.Ka.No.217/2010/ng.3 dated 27.07.2010 and direct the respondents 1 and 2 to accord permission for the construction of the mosque in Survey No.2/1B in Akshya Nagar, Manachanallur Taluk, Trichy District.

2.WP(MD)No.13461 of 2012 has been filed, seeking a direction to the respondent to grant planning approval for the construction of a Madharasa (Theological School) in the land belongs to the petitioner in New Survey No.2/1B in Ward No.8 in Manachanallur Panchayat Union, Trichy District by considering the petitioner's representation dated 24.11.2011.

3.The learned counsel appearing for the petitioner in both the writ petitions submitted that the relief sought in both the writ petitions is only in respect of the construction of a mosque in the land in question and though WP(MD)No.2593 of 2011 has been filed questioning the impugned order dated 27.07.2010 rejecting to grant permission to construct a mosque in the disputed land, now he confines his prayer to the extent that the petitioner may be directed to approach the authorities concerned afresh with proper



application along with relevant documents.

4. In view of the said submission, these writ petitions are disposed of, directing the petitioner to approach the authorities concerned afresh with proper application along with all the relevant documents and the same shall be considered afresh by the authorities concerned on merits and in accordance with law and orders be passed thereon, after affording an opportunity of hearing to the petitioner as well as any of the interested parties. No costs. Consequently, MP (MD) No.2 of 2011 is closed.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Trichy District, Trichy.
2. The Tahsildar,
Manachanallur Taluk,
Trichy District, Trichy.
3. The Executive Officer,
Manachanallur Panchayat Union Office,
Manachanallur, Trichy.

+ 2 CC TO M/s.AJMAL ASSOCIATES, ADVOCATE IN SR No. 92009, 92010

MJ

TE/JC/SAR-4 : 26/12/2017 : 3P/6C

W.P. (MD) Nos.2593 of 2011 and 13461 of 2012
and MP (MD) No.2 of 2011
08.12.2017