



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2019

CORAM :

THE HONOURABLE MR. JUSTICE **G.K. ILANTHIRAIYAN**

W.P. (MD)No.20478 of 2019

M/s.Jumma Periya Pallivasal
(G.S.No.236/madurai),
Rep.By President Haji.A.Abdul Rahman

... Petitioner

Vs.

- 1.The Superintendent of Police
O/o.The Superintendent of Police,
Dindigul District.
- 2.The Deputy Superintendent Of Police,
Nilakottai Sub Division,
Nilakottai, Dindigul-2
3. The Inspector of Police
Law and Order,
Batlagundu Police Station
Batlagundu, Dindigul-2
4. The Superintendent of Wakf
Tamilnadu Wakf Board,
Madurai Zone, No.1,
Town Hall Road,
Mosque Building,
2nd Floor, Madurai-1

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to provide adequate police protection for installation of Closed Circuit Television (CCTV) camera inside all prayer halls and outside of entire Jumma Periya Palivasal Wakf Mosque premises situated at Batlagundu Main Road, Batkagundu, Nilakottai Taluk, Dindigul - 624 202

For Petitioner : Mr.D.Shanmuga Raja Sethupathi
For R1 to R3 : Mr.R.Anandharaj
Additional Public Prosecutor
For R4 : Mr.S.A.S.Alaudeen

For Intervenor : Mr.S.Vinayak



O R D E R

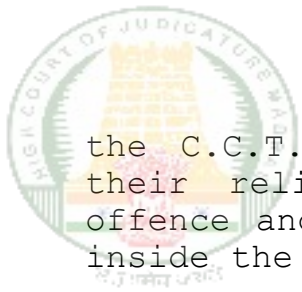
The prayer sought for in the present writ petition is to direct the respondents 1 to 3 to provide adequate police protection for installation of Closed Circuit Television (CCTV) camera inside all prayer halls and outside of entire Jumma Periya Pallivasal Wakf Mosque premises situated at Batlagundu Main Road, Batlagundu, Nilakottai Taluk, Dindigul - 624 202 based on the petitioner's representations dated 05.08.2019, 26.08.2019 and 09.09.2019.

2.The learned counsel for the petitioner submitted that the petitioner is a President of Jumma Periya Pallivasal Wakf which is called as "Mosque" and it is a designated place for worship. While being so, on 12.07.2017, the third respondent resolved to fix Closed Circuit Television (C.C.T.V.) in Mosque such as, Churches, Temples within seven days. Accordingly, the petitioner is ready to install C.C.T.V camera inside the Mosque. Thereafter, the local politicians have objected to install the C.C.T.V camera, inside the Mosque only for the reason that if the C.C.T.V. installed, all the truth will come out and therefore, the petitioner sought for police protection to install the C.C.T.V camera inside the "Mosque" (Jumma Periya Pallivasal Wakf Mosque) situated at Batlagundu Main Road, Batlagundu, Nilakottai Taluk, Dindigul. The said representations are pending before the respondents 1 to 3 without any progress and therefore, the petitioner sought for a direction to the respondents 1 to 3 to provide adequate police protection for installation of Closed Circuit Television Camera inside the Mosque.

3.The learned counsel for the fourth respondent submitted that on the Memorandum issued by the third respondent, the petitioner as well as the fourth respondent are taking steps to install the C.C.T.V camera inside the Mosque. He further submitted that in fact the Jumma Periya Pallivasal Wakf Mosque situated at Batlagundu Main Road, Batlagundu, Nilakottai Taluk, Dindigul District and the President of Mosque has also issued no objection for installing C.C.T.V. camera inside the Mosque and therefore, in this regard steps are being taken for installing C.C.T.V. camera for the purpose of security of Mosque.

4.The learned Additional Public Prosecutor submitted that vide memorandum, dated 12.07.2017, all the Mosques, Churches and Temples were directed to instal C.C.T.V camera. On the strength of the direction issued by the third respondent, all the religious Institutions have installed C.C.T.V. camera likewise the petitioner is also decided to install C.C.T.V camera inside the Mosque. He also submitted that the representation of the petitioner will be considered.

5.Mr.S.Vinayak, learned counsel appearing for the third party submitted that in the name of C.C.T.V. camera, the right to install



the C.C.T.V. Camera inside the *Sanctum* is not permissible under their religions. Further, the petitioner has committed serious offence and also they are opposing to install any C.C.T.V. Camera inside the Mosque.

WEB COPY 6. Heard both sides.

7. The petition has been filed seeking police protection to install C.C.T.V. Camera inside the Mosque as directed by the third respondent and the petitioner stated that steps are being taken to install the C.C.T.V. Camera inside the Mosque (Jumma Periya Pallivasal Wakf Mosque) situated at Batlagundu Main Road, Batlagundu, Nilakottai Taluk, Dindigul. It is seen from the Memorandum circulated by the third respondent, dated 12.07.2017, all the Mosques, Churches, Temples are directed to install C.C.T.V. Camera so that they can easily find out the crime committed inside the religious places. Further the President of "Mosque" (Jumma Periya Pallivasal Wakf Mosque) situated at Batlagundu Main Road, Batlagundu, Nilakottai Taluk, Dindigul, also issued no objection certificate to install C.C.T.V. inside the Mosque, for the purpose of safeguarding the belongings of the worshipers. It is also rightly pointed out by the fourth respondent that the fourth respondent as well as the petitioner are taking steps to install C.C.T.V. only inside the prayer hall which is called as Mosque and there is no Sanctum in the prayer hall. The Sanctum is available only in the Dharga. Therefore, the prayer hall or Mosque is not a Sanctum.

8. Considering the above facts and circumstances, the third respondent is directed to provide adequate police protection to the petitioner to install C.C.T.V. camera inside and outside of "Mosque" premises (Jumma Periya Pallivasal Wakf Mosque) situated at Batlagundu Main Road, Batlagundu, Nilakottai Taluk, Dindigul, forthwith.

9. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police
O/o. The Superintendent of Police,
Dindigul District.

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



2.The Deputy Superintendent Of Police,
Nilakottai Sub Division,
Nilakottai, Dindigul-2

3. The Inspector of Police
Law and Order,
Batlagundu Police Station
Batlagundu, Dindigul-2.

4. The Superintendent of Wakf
Tamilnadu Wakf Board,
Madurai Zone, No.1,
Town Hall Road,
Mosque Building,
2nd Floor, Madurai-1

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

+3 CC to Mr.D.SHANMUGARAJASETHUPATHI, Advocate (SR-88700[F] dated
23/09/2019)

+1 CC to Mr.S.VINAYAK, Advocate (SR-88827[F] dated 24/09/2019)

W.P. (MD)No.20478 of 2019
23.09.2019

Ls
VB(16.10.2019) 4P 10C