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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2020

CORAM:

THE HONOURABLE **DR. JUSTICE G. JAYACHANDRAN**

CrI.O.P. (MD) No.3845 of 2016

M.Abdul Raheem

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District,
Surveyor Colony,
Alagarkovil Road,
Madurai-7.

2.The Inspector of Police,
Silaiman Police Station,
Silaiman, Madurai District.

3.Kadhar Ebrahim
4.M.Abdul Kadar
5.B.Kani Abdullah
6.S.Jamal Maideen
7.E.Abudhaheer
8.A.Ethayisha
9.A.Ibrahim Ali
10.S.M.Hanifa
11.Jaikul Akbar
12.S.Navapjohn
13.E.Kanavapitchai
14.E.Abdul Kadhar
15.J.Sikkandar Batsha
16.N.Kadharkani
17.A.Jaheer Husain
18.A.Sadiq Batsha
19.S.Seeniyappa
20.E.Chittu
21.M.Hanshamaideen
22.A.Sulthan Alavudeen
23.P.Sulthan Alavudeen

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to issue direction to the first respondent to issue necessary direction to the second respondent to take appropriate action as against the respondents Nos.3 to 23 and give police protection for running the Management of the petitioner's Mosque peacefully based on the petitioner's complaint dated 20.02.2016 made to the

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



respondents Nos.1 and 2.

For Petitioner : Mr.D.S.Havoon Rasheed
For R1 & R2 : Mr.K.Suyambulinga Bharathi,
Government Advocate(Crl.side)
For R3 to R23 : No Appearance

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ORDER

Petition filed under Section 482 Cr.P.C., seeking a direction to the respondent police to take appropriate action against the respondents 3 to 23, who are disturbing the peaceful management of the petitioner's mosque and to give police protection to the petitioner's mosque.

2.This petition is filed in the month of March 2016 alleging that the petitioner's mosque, administered by Jamia Jumma Sunnathval Jamath Pallivasal Trust, is now being disturbed by the persons belonging to Towheed Jamath, which had modern customs and policies, contrary to the conventional mode of worship by the Sunnathval Jamath. Since the peaceful worship of the petitioner is being disturbed by the respondents 3 to 23, the present petition is filed seeking police protection.

3.This Court, on 19.03.2019 has suggested to conduct election for administering the mosque in the presence of Advocate Commissioner. The said suggestion was accepted by either side and Mr.A.Sivaji, Advocate was appointed as Commissioner for conducting election to the petitioner's mosque.

4.In the said circumstances, this Court is of the view that this criminal original petition can be disposed of with a direction to the respondents 1 and 2 to give appropriate protection for the Advocate Commissioner, if he requires for his peaceful conduct of the election to the petitioner's mosque.

5.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(CS)

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Sub Assistant Registrar(CS)

gns



To

1.The Superintendent of Police,
Madurai District,
Surveyor Colony,
Alagarkovil Road,
Madurai-7.

2.The Inspector of Police,
Silaiman Police Station,
Silaiman, Madurai District.

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

+1 CC to M/s.D.HAROON RASHEED, Advocate (SR-9933[F] dated
03/03/2020)

CrI.O.P.(MD)No.3845 of 2016
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SBS(CO)
TR(13.03.2020) 3P 5C