



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.26276/2021 and WMP.No.27726/2021

K.S.Jailaane

... Petitioner

-vs-

1. The Union of India,
rep. by its Secretary,
Ministry of Law and Justice,
New Delhi.
2. The Muthavalli,
Killai Thaikkal Muslim,
Sunnathaval Jamath,
Killai, Peria Thaikkal,
Killai-608 102,
Chidambaram Taluk,
Cuddalore District.
3. The Muthavalli,
Islamia Iykhia Jamath,
14, Pallivasal Street,
Cuddalore-O.T. 607 003,
Cuddalore Taluk, Cuddalore District.
4. Kasmira @ Rahamath Nisha ... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Declaration, declaring that the 'Khula' form of divorce practised among Muslims and as found in Section 2 of the Muslim Personal Law (Shariat) Applic Act, 1937, is arbitrary, illegal, ultra vires the Constitution, unconscionable, illegal, null and void.

For Petitioner : Mr.R.Gururaj



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ORDER

(Order of the Court was made by T.RAJA, J.)

Learned Counsel appearing for the petitioner seeks permission of this Court to withdraw the present Writ Petition.

2. Recording the said submission of the learned Counsel for the writ petitioner, permission is granted. Accordingly, the Writ Petition is dismissed as withdrawn with liberty to file a fresh petition, if he is so advised. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary,
Union of India,
Ministry of Law and Justice,
New Delhi.
- 2.The Muthavalli,
Killai Thaikkal Muslim,
Sunnathaval Jamath,
Killai, Peria Thaikkal,
Killai-608 102,
Chidambaram Taluk,
Cuddalore District.
- 3.The Muthavalli,
Islamia Iykhia Jamath,
14, Pallivasal Street,
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Cuddalore Taluk, Cuddalore District.

+1cc to Mr.M.Ramamoorthi, Advocate SR. No.66181

W.P.No.26276/2021

MG (CO)
PR (30/12/2021)