



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.17441 of 2021

Meddaikar Arif Ahmed

...Petitioner

Vs

1. State rep by
The Superintendent of Police,
Ranipet District,
Ranipet.

2. The Inspector of Police,
Rathinagiri Police Station,
Ranipet District.

...Respondents

3. Nazeer Ahmed @ Muneer

4. Rahim Basha ...Proposed Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to give police protection to the petitioner for construction of compound wall around his land in Old Survey No.159/2 and New Survey No.159/2A situated at Arapakkam Village, Walaja Taluk, Ranipet District by considering the petitioner's representation dated 21.01.2021.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.E.Raj Thilak
Nos.1 & 2 Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent to give police protection to the petitioner for the construction of compound wall around his land in Old Survey No.159/2 and New Survey No.159/2A, situated at Arapakkam Village, Walaja Taluk, Ranipet District by considering the petitioner's representation dated 21.01.2021.

2.The petitioner's grievance is that he had purchased a property in the year 2010. Thereafter, patta was issued in the name of the petitioner in the year 2011. Now some persons are



objecting the petitioner's enjoyment of the property. Further, when the petitioner was about to level the property and put up compound wall, objections were raised. Therefore, the petitioner sent a representation to the District Superintendent of Police, Ranipet, on 21.01.2021 for initiating action. Eventhough no action has been taken, hence, the petitioner has filed the present petition.

3.The Additional Public Prosecutor submits that the property claimed by the petitioner is a Waqf property. The property belongs to the Arapakkam Mosque and Kabarasthan Waqf. This property was endowed to the Mosque for the welfare and well being of Muslims and the property is situated in S.No.159/2 to an extent of 4.07 acres, out of which, to an extent of 1.55.0 hectare land, patta was issued in the name of the petitioner and thereby, the petitioner attempted to level the place and put up compound wall which was objected by the Muthavalli and Jamardhars of the Mosque. Thereafter, they made a representation that the patta should be cancelled and patta should be issued in the name of the Waqf. Since there is some commotion, the issue was referred to the RDO. The RDO, Ranipet, conducted an enquiry and during the enquiry, five persons represented on behalf of the Waqf and five persons represented the petitioner and produced documents. On completion of the enquiry, the RDO, Ranipet, on verification, found that the land in S.No.159/2 belongs to the Waqf and thereafter sent a report to the District Collector, Vellore, stating that the land in S.No.159/2 to an extent of 1.55.0 hectare belongs to the Waqf.

4. The counsel for the petitioner submitted that he has not participated in the enquiry and he is not aware of any such report.

5.In view of the same, this Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Ranipet District,
Ranipet.



2. The Inspector of Police,
Rathinagiri Police Station,
Ranipet District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.E.Kannadasan, Advocate, S.R.No.62069

CRL.O.P.No.17441 of 2021

VBM(CO)
RGA(15/12/2021)