



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.14546 of 2021

K.Jayalakshmi

... Petitioner

Vs.

1. The Commissioner of Police,
C.O.P. Office, TVS Tollgate,
Trichy - 20, Trichy District.

2. The Inspector of Police,
Fort Police Station,
Town Hall, Trichy - 2,
Trichy District.

3. Syed Alikan Mosque,
Represented by its President
Muthavalli M.H. Karimudeen,
S/o. Mohammed Hussain,
Karikkadai Lane, East Andal Street,
Trichy - 2, Trichy District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to issue a direction, directing the second respondent herein to provide necessary police protection to carry out maramath work at the property situated at 1/R, Mutton shop lane, East Andal Street, Trichy - 2, Trichy District, in the light of her representation dated 29.06.2021 within a stipulated period.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.Veeranthiran

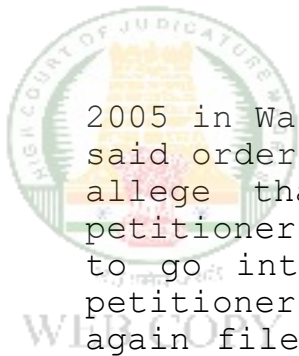
Government Advocate for R1 & R2

Mr.V.Raja Mohan for R3

O R D E R

This Criminal Original Petition has been filed for according police protection to the petitioner to carry out repair works at the petition mentioned property.

2.The petitioner's counsel drew my attention to the order, dated 25.09.2006 made in C.R.P.(PD) (MD)No.251 of 2006 (P.Karuppiah vs. Syed Alikan Mosque Wakf and others). It is true that by the said order, the petitioner's father Thiru.Karuppiah was permitted to carry out repair works. The petitioner wants this Court to grant similar permission on the very same lines. Submission of the 3rd respondent's counsel is that the said Criminal Original Petition was filed against the order dated 02.02.2006 made in I.A.No.276 of



2005 in Wakf.O.P.No.5 of 2005 on the file of the Wakf Tribunal. The said order had worked out itself. The learned counsel would further allege that in the guise of carrying out repair works, the petitioner's father went for a new construction. I am not inclined to go into the factual controversy. Just as the father of the petitioner obtained an order on the last occasion, he has to once again file a fresh I.A. in the Wakf Tribunal for carrying out the works in question. If the petitioner obtains order in her favour, then certainly the second respondent has to aid the petitioner in implementing the said order.

3. Giving liberty to the petitioner to move the Wakf Tribunal for the relief sought for, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

csm/mga

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Commissioner of Police,
C.O.P. Office, TVS Tollgate,
Trichy - 20, Trichy District.
2. The Inspector of Police,
Fort Police Station,
Town Hall, Trichy - 2,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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