



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.04.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.13155 of 2013

and

M.P. (MD) No.1 of 2013

WEB COPY

P.Mariam Beevi

... Petitioner

/vs./

1.The Tamilnadu Wakf Board,
represented by its Chief Executive Officer,
No.1, Zafar Sarang Street,
Seethakadi Nagar,
Chennai 600 001.

2.Uthaman Lebbai Sahit Mosque Trust,
represented by its Managing Committee,
Mosque Street,
Thittuvilai,
Kanyakumari District.

3.The Muthawalli,
Uthuman Lebbai Sahit Mosque Trust,
Mosque Street,
Thittuvilai,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to take action against the second and third respondents for the issuance of notice of excommunication, on the basis of the petitioner's representation dated 02.07.2013.

For Petitioner : No appearance

For R1 : Mr.K.K.Senthil

For R2 & R3 : Mr.H.Arumugam

ORDER

The writ petition has been filed for a Mandamus to direct the 1st respondent to take action against the respondents 2 and 3 for the issuance of notice of excommunication, on the basis of the petitioner's representation dated 02.07.2013.

2.No representation for the petitioner today.



3.The 3rd respondent has filed a counter affidavit, wherein it has been stated as follows:-

"4.I submit that the allegations in para 5 is frivolous as the public notice dated 17.06.13 is not an order of ex-communication but it is only a communication that the 2nd respondent Jamath is not responsible for any actions of the petitioner, her husband and her son. The act of petitioner's son amounts to cheating as he got married without knowledge of the first wife and the 2nd respondent Jamath and they received a Letter from Jamath stating that they are members of the Jamath for the purpose of applying for passport. But, the petitioner and her husband along with their son went to Kozhikode District, Kerala and celebrated the wedding. The petitioner and her husband who also knows the fact of their son's illegal act supported him without considering the future of the 1st wife and her child."

4.Considering the above, the writ petition stands disposed of by observing that there is no excommunication of the petitioner or her family. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Mm

TO:

The Chief Executive Officer,
Tamilnadu Wakf Board,
No.1, Zafar Sarang Street,
Seethakadi Nagar,
Chennai 600 001.

+1 CC to M/s.H. ARUMUGAM, Advocate (SR-17337[F] dated 07/04/2022)
+1 CC to M/s.K.K. SENTHIL, Advocate (SR-17064[F] dated 07/04/2022)

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06.04.2022

RD(21.04.2022) 2P 4C