



W.P(MD)No.2897 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2022

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.2897 of 2013

and

M.P(MD)No.1 of 2013

and

W.M.P(MD)No.3767 of 2020

Noorul Nazreen

... Petitioner

Vs.

1.K.Mohammed Kassali,
Government District Kazi,
Tirunelveli (East) District,
22E, Kallanai Street,
Tirunelveli Town,
Tirunelveli District.

2.Government Chief Kazi,
Government of Tamil Nadu,
323, T.T.K.Road,
Royapettah,
Chennai-14.

3.The Government of Tamil Nadu,
Represented by its Secretary,
Backward Clases, Most Backward Classes
and Minorities Welfare Department,
Fort St.George,
Secretariat, Chennai-9.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the first respondent in his certificate dated 03.09.2012 and to quash the same and directing the first and third respondents to pay compensation of Rs.5,00,000 towards damages to the petitioner.

For Petitioner : Mr.V.Kannan

For R1 : Mr.R.Anand

For R3 : Mr.M.Prakash

Additional Government Pleader

ORDER

The order impugned in the writ petition is that alleged certificate issued by the 1st respondent.

2. The 1st respondent under the Kazi's Act, has no authority to hold that there has been a divorce under the shariat law and the certificate impugned before this Court is without jurisdiction. Hence, the same is set aside. However, the consequential prayer for compensation is rejected.



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3. In view of the above, this Writ Petition is partly allowed, setting aside the certificate issued by the 1st respondent alone. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

16.12.2022

Index : Yes / No
Internet : Yes / No

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To

The Secretary,
The Government of Tamil Nadu,
Backward Clases, Most Backward Classes
and Minorities Welfare Department,
Fort St.George,
Secretariat, Chennai-9.



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K.KUMARESH BABU,J.

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Order made in
W.P(MD)No.2897 of 2013

Dated:
16.12.2022