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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.04.2022
CORAM
THE HONOURABLE MR.JUSTICE C.SARAVANAN
W.P(MD).No.15702 of 2020

Janab.Humayoon Kabeer ... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by Chief Secretary,
Fort St. George,
Chennai.

2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-600 001.

3.The District Collector,
Kanyakumari District,
Nagercoil-1.

4.The Wakf Superintendent,
Tamilnadu Wakf Board, Tirunelveli Zone,
Palayamkottai-627 002
Tirunelveli District.

5.The Wakf Inspector,
Kanyakumari,
Kanyakumari District.

6.The Muslim Jamath,
Represented by its President,
M.Shahul Hameed,
Kulasekaram,
Kanyakumari District. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 5 to ensure the petitioner's fundamental rights by taking appropriate action against the sixth respondent for excommunicating the petitioner from the Muslim Jamath, Kulasekaram, Kanyakumari District in the light of proceedings of the second respondent in Na.Ka.No.9009/19/Aa1/Ka.Kumari dated 08.11.2019 and further directing the sixth respondent to receive the member subscription charges from the petitioner by considering the representation dated 28.02.2020.

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For Petitioner : Mr.R.Maheswaran
For R1 & R3 : Mr.P.Subbaraj
Special Government Pleader
For R2, R4, R5 : Mr.K.K.Senthil
For R6 : Mr.L.Shaji Chellan

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the official respondents to take action against the 6th respondent for excommunicating the petitioner from the Muslim Jamath, Kulasekaram, Kanyakumari District and to direct the 6th respondent to receive the member subscription charges from the petitioner.

2.Though a wider relief has been sought for by the petitioner in this writ petition, I am inclined to dispose of this writ petition by directing the 3rd respondent/the District Collector, Nagercoil, to pass appropriate orders on the representation dated 28.02.2020 of the petitioner on merits and in accordance with law, within a period of 6 weeks from the date of receipt of a copy of this order. It is needless to state that the private respondents herein shall also be heard before passing such orders.

3.The writ petition stands disposed of, in terms of the above observation. No costs.

Sd/-

Assistant Registrar (A.D II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The Chief Secretary,
State of Tamil Nadu,
Fort St.George,
Chennai.

2.The District Collector,
Kanyakumari District,
Nagercoil-1.

+1 CC to M/s.K.K.SENTHIL, Advocate (SR-22710[F] dated 29/04/2022)
+1 CC to M/s.SPL.GP (SR-23256[F] dated 02/05/2022)

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