



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.17841 of 2020

and

W.M.P.(MD)No.14880 of 2020

Khanumiah Pallivasal @ Shah Ali Nuktha Mosque
through its Joint Muthavallis,
S.Mohammed Noorkan Pani
S/o.Shabi Mohammed Khanpani,
Door No.A-65/3, 40th Street,
Rahmath Nagar,
Palayamkottai,
Tirunelveli District.

...Petitioner

Vs.

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

2.The State Rep. by
The Inspector of Police,
Tisayanvilai Police Station,
Tisayanvilai,
Tirunelveli District.

3.The State Rep. by
The Inspector of Police,
Palayamkottai Police Station,
Palayamkottai,
Tirunelveli District.

4.Jayakodi
5.Christopher
6.Shayath Mohammed
7.Kalanthai Meera Sha
8.Beer Masthan
9.Alaudeen

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondents 1 and 2 to provide adequate police protection to manage and maintain the administration of the Pallivasal, namely Khanumiah Pallivasal @ Shah Ali Nuktha and its property bearing S.Nos.791 to 894 measuring to an extent of 1047 acres situated at Urumankulam Village, Tirunelveli District forthwith.



For Petitioner : Mr.S.Kumar
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor for R1 to R3
No Appearance for R4 to R9

WEB COPY

ORDER

This Writ Petition is filed seeking a direction to the respondents 1 and 2 to provide adequate police protection to manage and maintain the administration of the Pallivasal, namely, Khanumiah Pallivasal @ Shah Ali Nuktha and its property bearing S.Nos.791 to 894 measuring to an extent of 1047 acres, situated at Urumankulam Village to an extent of 1047 acres situated at Urumankulam Village, Tirunelveli District forthwith.

2.The case of the petitioner is that the right has already been established in Sub Judge, Tirunelveli in O.S.No.299 of 2011, whereas, the private respondents without any semblance of right over the property, interfering themselves. Hence, the petitioner sought police protection.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 3 submitted that both sides are enquired and advised to go to the Civil Court.

4.This Court is of the view that if at all the third parties are claiming right over the petitioner's property, it is very well open to the petitioner to file a complaint before the jurisdictional police. On receipt of such complaint, the jurisdictional police can take action, if any cognizable offence is made out.

5.With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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 Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police,
Tisayanvilai Police Station,
Tisayanvilai,
Tirunelveli District.

3.The Inspector of Police,
Palayamkottai Police Station,
Palayamkottai,
Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.KUMAR, Advocate (SR-5553[F] dated 11/02/2022)

W.P. (MD)No.17841 of 2020

10.02.2022

ks (CO)

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