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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.4091 of 2023

- 1.The Chief Executive Officer
Tamilnadu Wakf Board
1, Jaffer Syrang Street
Vallal Seethakkathi Nagar
Chennai 600 001.
- 2.The Executive Officer/Wakf Inspector
Tiruppur, Ahle Sunnath Jamath Pallivasal
and Madarasa Waqf
Having Office at: Hyder Ali Tippu Sultan
Dakni Sunnath Jamath Mosque
No.963, Mettupalayam Road
Near Flower Market
Coimbatore 641 002.

...Petitioners

-Vs-

- 1.The Director General of Police
Dr.Radhakrishnan Salai
Mylapore, Chennai 600 004.
- 2.The Commissioner of Police
Tiruppur City, Tiruppur.
- 3.The Deputy Commissioner of Police
Tiruppur, Tiruppur District.
- 4.The Assistant Commissioner of Police
Tiruppur North, Tiruppur District.
- 5.Inspector of Police
North Police Station
Kaderpet, Tiruppur District.
- 6.A.Salim @ A.Abdul Rahman



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to grant permission and provide police protection to the Executive Officer of the Wakf Ahle Sunnath Jamath Pallivasal and Madarasa Wakf and to the officials of the Tamil Nadu Wakf Board who would be executing the decision of the Tamil Nadu Wakf Board to assume direct management of the said Wakf as confirmed by the final order dated 02.11.2022 of the Wakf Tribunal, Chennai in O.A.No.237 of 2019.

For Petitioners : Mr.S.Haja Mohideen Gisthi
For respondents : Mr.A.Gopinath
Government Advocate (Crl.side)
for R1 to R5
Mr.J.Franklin for R6
Mr.N.A.Nassir Hussain for R7

ORDER

This writ petition has been filed for a direction to the respondent police to provide police protection in order to enable the Wakf Board to execute the decision taken to assume direct management of the Wakf Board.

2.Heard Mr.S.Haja Mohideen Gisthi, learned counsel for the petitioners, Mr.A.Gopinath, learned Government Advocate (Crl.side) for R1 to R5, Mr.J.Franklin, learned counsel for R6 and Mr.N.A.Nassir Hussain, learned counsel for R7.

3.It is seen from records that the decision taken by the Wakf Board to assume direct management was confirmed by the Wakf Tribunal by order



dated 2.11.2022 passed in O.A.No.237 of 2019. This order was further confirmed by this Court in CRP.No.3572 of 2022 by order dated 10.1.2023.

In view of the same, the Wakf Board is entitled to assume direct management of the Wakf. If any disruption is made, the police will have to grant police protection to the Wakf Board.

4.In the light of the above , this writ petition is disposed of with a direction to the 4th respondent to act upon the representation of the Wakf Board and provide police protection to enable the Wakf Board to assume direct management of Wakf 'Ahle Sunnath Jamath Pallivasal and Madrasa Wakf'. If there is any resistance, the respondent Police shall take action against the concerned persons and deal with them in accordance with law.

5.This writ petition is disposed of with the above directions. No costs.

20.09.2023

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Index : Yes/No
Internet : Yes/No
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N.ANAND VENKATESH, J.

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To

- 1.The Director General of Police
Dr.Radhakrishnan Salai
Mylapore
Chennai 600 004.
- 2.The Commissioner of Police
Tiruppur City, Tiruppur.
- 3.The Deputy Commissioner of Police
Tiruppur, Tiruppur District.
- 4.The Assistant Commissioner of Police
Tiruppur North, Tiruppur District.
- 5.Inspector of Police
North Police Station
Kaderpet, Tiruppur District.
- 6.The Public Prosecutor,
High Court, Madras.

W.P.No.4091 of 2023

20.09.2023

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