



W.P(MD).No.8770 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2023

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.8770 of 2014

M.Maheen Abu Backer

..... Petitioner

- Vs-

1. The District Collector,
Kanyakumari District @
Nagercoil.
2. The Tamil Nadu Wakf Board
Represented by its Chief Executive Officer,
No.1, Zafar Sarang Street,
Seethakadi Nagar,
Chennai – 600 001.
3. Shahul Hammediya Muslim Jamaath,
Represented by its Managing Committee,
Samiyarmadam,
Kanyakumari District.
4. Mohamed Rafi

... 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 Mandamus directing the first and second respondents to take action against the third and fourth respondents for the issuance of oral order of excommunication, on the basis of the petitioner's representation dated 12.04.2014.

For Petitioner : Mr.B.Brijesh Kishore

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader
(For R-1)

: No appearance (For R2 to R4)

ORDER

The present Writ Petition has been filed to direct the first and second respondents to take action against the third and fourth respondents for the issuance of oral order of excommunication, on the basis of the petitioner's representation dated 12.04.2014.

2. Heard Mr.B.Brijesh Kishore, learned Counsel appearing for the petitioner and Mrs.D.Farjana Ghoushia, learned Special Government Pleader appearing for the first respondent.



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3. This Court, considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the case, directs the petitioner to submit the fresh representation to the first respondent. On receipt of the said representation, the first respondent is directed to consider the same and pass orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With the above said direction, this Writ Petition is allowed. No costs.

03.01.2023

NCS: Yes / No

Index : Yes / No

Internet : Yes / No

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To

1. The District Collector,
Kanyakumari District @
Nagercoil.



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K.KUMARESH BABU, J.

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Order made in
W.P(MD)No.8770 of 2014

03.01.2023