



W.P.(MD) No.19768 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.19768 of 2023

A.Sikkender Basha

... Petitioner

/vs./

- 1.The District Collector,
O/o.Collectorate Office, Trichy.
- 2.The District/Principal Secretary,
Tamilnadu Wakf Board,
No.1, Jaffer Shirank Street,
Vallal Seethakathi Nagar, Chennai – 1.
- 3.The Assistant Commissioner of Police,
Asst.Commissioner Office,
Sri Rangam, Trichy.
- 4.The District Revenue Officer,
District Revenue Office, Trichy.
- 5.The Inspector of Police,
Sri Rangam Police Station,
Sri Rangam.



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6.The Tahsildar,
Thiruvanaikaval, Trichy.

7.The Superintendent of Wakf,
No.8/24, Kayethey Millath Road,
Palakarai, Trichy.

8.M.Jamiyalam

9.A.Sulaiman

10.Ahamethsha

11.Ismayil

12.Hakkim

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 3 to 5 to consider the petitioner's representation dated 17.06.2023 and consequently, direct the 5th respondent to provide police protection to the petitioner, Secretary of jamath, Hajrath Syed Mustafa Daroot Masthan Avulia Darga and Masjid, Thiruvanaikaval, Srirangam, Trichy.

For Petitioner : Mr. R.Senthil Kumar

For R1 to R6 : Mr.B.Thanga Aravindh
Government Advocate (criminal side)

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent police to consider the petitioner's representation dated 17.06.2023 and to provide protection to the petitioner, who is



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the Secretary of Jamath, Hajrath Syed Mustafa Daroot Masthan Avulia Darga and Masjid, Thiruvanaikaval, Srirangam, Trichy.

2.It is submitted by the learned counsel for the petitioner that the unofficial respondent Nos.8 to 12 are involved in many unlawful activities and are trying to spoil the image of the Jamadh. On a complaint given by the respondent No.8, a detailed enquiry was conducted earlier and after enquiry, the respondent No.8 has given an undertaking that he will not indulge in any unlawful activities in respect of the Jamadh. Now the petitioner is elected as Vice President of the Jamadh.

3.It is submitted that every Friday and also on all the dates, whenever the general body meeting of the Jamadh is conducted, the unofficial respondent Nos.8 to 12 are creating obstruction and trying to disturb the meeting. On a complaint given by the petitioner, earlier a case was registered in Crime No.34 of 2019 for the offences punishable under Sections 294(b), 323 and 506(i) IPC dated 14.01.2019 against the respondent Nos.10 and 11, therefore, sought for suitable directions for providing police protection.



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4.The learned Government Advocate (Crl.side) on the other hand submits that though the petitioner stated to have sent a representation dated 17.06.2023, the same has not been received by the police and on a complaint given by the unofficial respondent No.12, a case has been registered against the petitioner in Crime No.1352 of 2023 for the offence punishable under Sections 341, 294(b), 323, 379 and 506(i) IPC and the same is pending. It is submitted further that in case if fresh representation is given by the petitioner, the police would consider the same.

5.Considering the submissions made by the learned counsel on either side and on perusal of the records, this Petition is disposed of directing the petitioner to provide a fresh copy of the representation dated 17.06.2023 to the police, on which the respondent police are directed to consider and dispose of the same within a period of two weeks from the date of receipt of a copy of this order. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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DR.D.NAGARJUN, J.

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