



W.P(MD)No.24666 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.24666 of 2023

Thirupparankundram Muslim
Pothu Jamath
Rep. by its Secretary,
M.Syed Mummasha,
No.33, Palani Andavar Kovil Street,
Thirupparankundram,
Madurai – 625 005.

... Petitioner

Vs.

- 1.The District Collector
Madurai Collector Office, Madurai 20.
- 2.The Commissioner of Police
Madurai City, Madurai 625 002.
- 3.The Assistant Commissioner of Police,
O/o. Assistant Commissioner of Police,
Thirupparankundram, Madurai 625 005
- 4.The Inspector of Police
Thirupparankundram Police Station,
Thirupparankundram, Madurai District 625 005
- 5.Mohammed Iliyas .T.S.N.M.S
- 6.Mohammed Idris. T.S.N.M.S
7. Mohammed Abdullah. T.S.N.M.S

... Respondents



W.P(MD)No.24666 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No. 2 to 4 to grant permission and adequate police protection to the petitioner and the petitioner's Jamath Members and along with Imam to conduct the prayer in Tho.Si.Mosque situated at G.S.T Road, Thirupparnkundram, Madurai District and to take appropriate action against the respondents No. 5 to 7 on the basis of the petitioners representation dated 04.09.2023 and for other reliefs.

For Petitioner : Mr.R.Ganesan

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition for issuance of Writ of Mandamus, directing the respondents No. 2 to 4 to grant permission and adequate police protection to the petitioner and the petitioner's Jamath Members and along with Imam to conduct the prayer in Tho.Si.Mosque situated at G.S.T Road, Thirupparnkundram, Madurai District and to take appropriate action against the respondents No. 5 to 7 on the basis of the petitioners representation dated 04.09.2023.



W.P(MD)No.24666 of 2023

2. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents.

3.Heard both sides.

4.The issue is between the members of the Jamath. Trouble is arisen between the parties over the management of the Jamath. It has been submitted that in pursuance of the order passed by this Court in W.P.(MD).No.6615 of 2023, the Chief Executive Officer has also undertook the enquiry. During the course of enquiry, this petitioners were permitted to enter into the Mosque and offer prayer. In spite of the above said order, the private respondents making trouble. Over which, he has sent the representation, which is stated to be pending.

5.The learned Additional Public Prosecutor would submit that on the basis of the representation made by the petitioner summon was issued. But, there is no proper co-operation on the side of the petitioner.

6.Let the above said representation dated 04.09.2023 be disposed of by the respondents 2 to 4 within a period of one week from the date of



W.P(MD)No.24666 of 2023

receipt of a copy of this order. The petitioner shall appear before the respondents and co-operate with them to complete the enquiry. The private respondents also be summoned. Depending upon the outcome of the enquiry, the respondents 2 to 4 shall pass further orders on its own merits and in accordance with law.

7. With the above said directions, this writ petition stands disposed of.

12.10.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
TM

To

1. The District Collector
Madurai Collector Office, Madurai 20.
2. The Commissioner of Police
Madurai City, Madurai 625 002.
3. The Assistant Commissioner of Police,
O/o. Assistant Commissioner of Police,
Thirupparankundram, Madurai 625 005
4. The Inspector of Police
Thirupparankundram Police Station,
Thirupparankundram, Madurai District 625 005



W.P(MD)No.24666 of 2023

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

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W.P(MD)No.24666 of 2023

G.ILANGO VAN, J

TM

Order made in
W.P(MD)No.24666 of 2023

Dated : 12.10.2023