



W.P.No,9281 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:12.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.9281 of 2024

R.Hassan Ali Akbar
S/o U.Md.Rahamathullah,
Mutawalli,
M.K.Taj Mohammed Sahib's Religious
and Charitable Endowments Chennai
New No.2, Muktharnisa Begum Street,
5th lane, Mount Road, Chennai.

.. Petitioner

/versus/

1.The Deputy Commissioner of Police,
Chintadripet Police Station,
Chennai.

2.The Assistant Commissioner of Police,
Rajaji Salai, Chennai.

3.The Inspector of Police,
D-1, Wallajah Police Station,
Chennai.

4.The Chief Executive Officer/
Estate Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi nagar,
Chennai 600 001.

5.The Superintendent of Wakfs,



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Chennai, Tamil Nadu Wakf Board,
Dr.Besant Road, Triplicane,
Chennai-5.

6.Inayathullah Sheriff

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 3 police to accord police protection to the 5th respondent to execute the eviction order dated 08.06.2020 in Case No.PP.No.28/CHE/2017 as confirmed in C.M.A.No.14 of 2020 before the Principal Judge, City Civil Court at Chennai by order dated 1/11/22 as sought vide letter of the 5th respondent dated 30.01.2023 and representation of the petitioner lastly dated 11/3/24.

For Petitioners :Mr.N.A.Nassir Hussain

For Respondent : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)
for R1 to R3
Mr.T.Sai Krishnan for R4 & R5
Mr.M.H.Peer Mohammed

ORDER

The Writ of Mandamus has been filed by the decree-holder to provide police protection for execution of the decree.

2. The learned Government Advocate (Crl.Side) appearing



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for the respondents 1 to 3 submitted that representation for police protection has been given by Mutawalli to the wrong jurisdiction police and if it is given to D-1,Triplicane police station, necessary protection will be given.

3. The learned counsel appearing for the judgment debtors, who are arrayed as respondents submitted that the decree is not enforceable and they are proposed to file a petition to set aside the same. If they have right to do so, they should do so if it is necessary. As of date there is a decree; the execution of the decree must be done in accordance with law and for that purpose, if the decree holder requires police protection, the police are bound to give the necessary police protection.

4. With the above observation, this Writ Petition is disposed of.

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Index:yes/no
Speaking order/non speaking order
Neutral Citation:yes/no
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To:

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Chennai.
- 2.The Assistant Commissioner of Police,
Rajaji Salai, Chennai.
- 3.The Inspector of Police,
D-1, Wallajah Police Station,
Chennai.
- 4.The Chief Executive Officer/
Estate Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi nagar,
Chennai 600 001.
- 5.The Superintendent of Wakfs,
Chennai, Tamil Nadu Wakf Board,
Dr.Besant Road, Triplicane,
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DR.G.JAYACHANDRAN,J.



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