



WP(MD). No.5877 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 31.01.2024

CORAM

The Hon`ble Mr.Justice M. DHANDAPANI

WP(MD). No.5877 of 2022

Sulthan Alavudeen .H

... Petitioner

Vs

1. The District Collector,
Office of the Collectorate Building,
Madurai District..
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Melur, Madurai District.
3. The Tahsildar,
Melur Tahsildar Office,
Melur, Madurai District.
4. The Commissioner,
Melur Municipality,
Madurai District..
5. The Block Development Officer,
Office of the Tahsildar,
Melur, Madurai District.



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6. The Inspector of Police,
Melur Police Station,
Madurai District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 3rd respondent in Na.Ka.No.001/2022/A2 dated 22.03.2022 and quash the same consequently forbear the respondents from interfering with affairs of Masjid E Madhina Trust by considering the petitioners representation dated 25.03.2022.

For Petitioner : M/s. Haroon Rasheed .D.S,

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

Challenging the impugned order of the 3rd respondent dated 22.03.2022 and for a consequential direction to forbear the respondents from interfering with affairs of Masjid E Madhina Trust by considering the petitioners representation dated 25.03.2022, the petitioner is before this court.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.



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3.The learned counsel for the petitioner would submit that the petitioner is the owner of the property, which is a Trust and while so, the 3rd respondent, without any summons and without any enquiry, removed the shed and thereby prevented the petitioner from enjoying his own property. He would further submit that the impugned order has been passed neither hearing the petitioner nor giving an opportunity and hence, prays for interference and also seeks a direction to run the Trust of the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner may approach the respondent police and in that case, the respondent police will consider the petitioner's objection.

5. In the light of the above, the petitioner is directed to send his objection to the impugned order within a period of two weeks from the date of receipt of a copy of this order. On receipt of such objections, if the petitioner has valid title and after verification of the title, the respondents are directed to consider the same and pass appropriate on merits and in accordance with law. The said exercise shall be carried out



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within a period of four weeks from the date of objection from the petitioner.

The writ petition is disposed of with the above direction.

31.01.2024

RR

TO

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M.DHANDAPANI. J

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