



W.P.(MD) No.26137 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.26137 of 2024

Syed Akram

... Petitioner

/vs./

1.The Tamil Nadu Waqf Board,
rep. by its Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallalseethakathi Nagar,
Chennai.

2.The Inspector of Waqf,
Railway Colony,
Thanjavur District.

3.The Superintendent of Police,
Railway Colony,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to accord police protection as per the order of the Inspector of Waqf, Thanjavur in Na.Ka.No.



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496/Va.Aa./Letter/Thanjavur/2024 dated 19.08.2024 by considering the petitioner's representation dated 16.09.2024 within the time that may be stipulated by this Court.

For Petitioner : Mr.A.Oli Raja

For R1 & R2 : Mr.D.S.Haron Rasheed

For R3 : Mrs.M.Aasha
Government Advocate (Crl.side)

ORDER

The prayer sought for in this writ petition is seeking for a direction to accord police protection as per the order of the second respondent herein dated 19.08.2024.

2. The communication dated 19.08.2024 issued by the second respondent indicates that the property belonging to the Wakf has been encroached by a third party, who had been named in the complaint and the second respondent had sought police protection from the jurisdictional police to remove the encroacher. The said letter do not indicate the compliance of Section 54 of the Wakf Act, 1995.



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3. In such circumstances, I do not find any reason to issue such direction as prayed for in this writ petition. However, considering the fact that the second respondent has himself indicated that the Wakf property had been encroached by a third party, necessary proceedings may be initiated against such encroacher as indicated under Section 54 of the Wakf Act, 1995. Such proceeding shall be initiated by the first respondent within a period of four weeks from the date of receipt of a copy of this order.

4. With the above directions, the Writ Petition stands disposed of. No costs.

Index : Yes / No
Internet : Yes / No
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05.11.2024

To

The Superintendent of Police,
Railway Colony,
Thanjavur District.



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K.KUMARESH BABU, J.

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