



W.P.No.9552 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 01.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.9552 of 2025
and
W.M.P.No.10710 of 2025

1. M.MOHAMED MUNEER
2. A.SUHALE ... Petitioner

Vs

1. THE GOVERNMENT OF TAMILNADU,
REP. BY ITS SECRETARY,
BACK WARD CLASSES,
MOST BACKWARD CLASSES AND
MINORITIES WELFARE DEPARTMENT,
SECRETARIAT, FORT ST. GEORGE,
CHENNAI - 600 009.
2. THE DISTRICT COLLECTOR,
OFFICE OF DISTRICT COLLECTOR,
COIMBATORE. ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the second respondent to appoint Kazhi for Coimbatore, from the Urdu speaking Dakni Muslim Sect of Coimbatore Town.

For Petitioner : Mr.R.Rajarajan for Mr.S.Keran
For R1 & R2 : Mr.V.Manoharan
Additional Government Pleader



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ORDER

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2. Upon hearing the learned counsel appearing for the petitioner and perusing the affidavit filed in support of the writ petition, it is stated that the Dakni Muslim sect settled in Coimbatore during the period of Hyder Ali and for the past 250 years, only persons belonging to the Dakni Muslim sect have been appointed as Kazi. Therefore, when the customary practices have always been followed, now suddenly an advertisement has been issued inviting applications from any Muslim for the District Kazi post. As a matter of fact, earlier when a similar notification was issued, one Imthias Babu approached this Court by way of writ petition No.8910 of 2020 and a *status quo* order was granted. However, the said writ petition was dismissed as having become abated on 13.11.2024 and therefore, the notification is issued again.

3. The learned counsel appearing for the petitioner submits that subsequently, an application for substitution has also been filed. Be that as it may, the writ petition relates to the 2020 notification. Now we are concerned with the fresh notification and he also submits that since Muslim law is based



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on Quranic and customary practices, it should be strictly implemented when it comes to the appointment of a Kazi.

4. I have considered the submissions made by the learned counsel appearing for the petitioner and perused the material records of the case.

5. It may be true that the Dakni Muslim sect settled in Coimbatore town and has been administering the Jamaat and will have several members in the Jamaat. The impugned notification does not exclude any person. Coimbatore has since become a metropolitan city, where Muslims from various places with different traditional practices have settled. Therefore, it cannot be restricted only to a particular subsect. As a matter of fact, there is no such provision in the Khazi's Act. Any person who is qualified will be considered by the Government in accordance with the law and they will be appointed. Therefore, these kind of offices should be appointed as secularly as possible, common to the religion, without any right to any subsect. I do not find any error whatsoever in the impugned notification.

6. Accordingly, finding no merit, the writ petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.



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Neutral Citation: Yes/No
nsl

To

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2. THE DISTRICT COLLECTOR,
OFFICE OF DISTRICT COLLECTOR,
COIMBATORE.

D.BHARATHA CHAKRAVARTHY, J.

nsl



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