



W.P(MD) NO.11977 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD) No.11977 of 2025

Sheik Abdul Kadar

... Petitioner

Vs

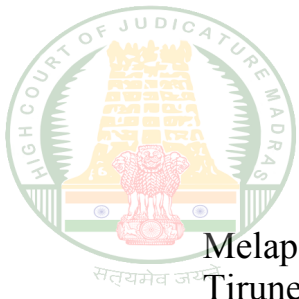
1. The Principal Secretary to Government,
Government of Tamil Nadu,
Home Department,
Fort St.George,
Secretariat,
Chennai - 600 009.

2. The Chief Executive Officer,
Tamilnadu Wakf Board,
No.1, Jaffer Shirang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

3. The District Collector,
Collectorate,
Tirunelveli,
Tirunelveli District.

4. The Commissioner of Police,
O/o. the Commissioner of Police,
Tirunelveli,
Tirunelveli District.

5. The Inspector of Police,



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Melapalayam Police Station,
Tirunelveli.

6. The Superintendent of Wakf Board,
O/o.The Superintendent of Wakf Board,
Tirunelveli,
Tirunelveli District.

7. The Inspector of Wakf Board,
O/o/the Inspector of Wakf Board,
Tirunelveli,
Tirunelveli District.

8. The President,
Kaja Nayagam Street North Jamath,
Melapalayam,
Tirunelveli.

9. Ramzan Ali
10. Kareem Unaish
11. Kaja Sathurutheen
12. Kaleel Rahman
13. Samsudeen
14. Ali
15. Sherif Ali
16.Kareem

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus to direct the respondents 4 and 5 to take appropriate action against the respondents 8 to 16 based on the petitioner`s representation dated 15.04.2025.

For petitioner :Mr. A. Abdulkabur

For R1 to R3 : Mr.M.Senthil Ayyanar,
Government Advocate



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For R4 & R5 :Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)

For R11 & R13 : Mr.K.Navaneetha raja

ORDER

This petition is filed by the petitioner to direct the respondents 4 and 5 to take appropriate action against the respondents 8 to 16 based on the representation of the petitioner dated 15.04.2025.

2. The learned counsel for the petitioner would submit that the private respondents 8 to 16 excommunicated the petitioner and thereby, he sent a representation to the respondents 1 to 7, but no action was taken. Therefore, he filed this petition.

3. The learned Government Advocate for the respondents 1 to 3 would submit that the representation of the petitioner is pending for enquiry.

4. The learned Additional Public Prosecutor (Crl.Side) for the respondents 4 and 5 would submit that they received the representation of the petitioner and they will conduct enquiry and take appropriate action in



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accordance with law.

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5. Mr.K.Navaneetha raja, learned counsel takes notice for the respondents 11 and 13 and would submit that the petitioner encroached the Government poramboke land, which was used for public at the time of festival, functions and the same was maintained by Jamad people. Since the Jamad people questioned the encroachment of the public place, the petitioner filed the false complaint and filed this petition. In this regard, two suits were filed by the petitioner's father and paternal uncle, out of which, the suit in O.S.No.510 of 2023 was withdrawn and O.S.No.512 of 2023 on the file of the Sub Court, Tirunelveli, is pending. While so, the petitioner lodged the false complaint before the respondents. Therefore, this petition is liable to be dismissed.

6. Considering the prayer sought for in this petition, this Court, without issuing notice to the other respondents, is inclined to pass orders in this petition.

7. According to the petitioner, he sent a representation to take action against the respondents 8 to 16 to the respondents 4 and 5, but no



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action was taken. The respondents 4 and 5 also admitted the receipt of the complaint and the same is under enquiry. Therefore, this Court recording the same, directs the fifth respondent to consider the petitioner's representation and take appropriate action in accordance with law within a period of one month from the date of this order, after affording opportunity to both the parties.

8. With the abovesaid observations and directions, this Writ Petition is disposed of. No costs.

25.04.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd

To

1. The Principal Secretary to Government,
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Secretariat,
Chennai - 600 009.

2. The Chief Executive Officer,
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Tirunelveli,
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5. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli.

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



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P.DHANABAL,J

apd

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