



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

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Tuesday, the Twenty Fifth day of March Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

WMP(MD). No.17635 of 2024

in

WMP(MD)NO.15328 OF 2024

IN

WP(MD).NO.6116 OF 2024

Abdul Kadar

S/o.Muthu Rowther

... Petitioner/7th Respondent/6th Respondent

Vs

1 Benazir Begum M

Advocate Commissioner

No.143 Lawyers Chambers

Madurai Bench of the

Madras High Court Madurai.

...1st Respondent/Petitioner/Nil

2 Abdul Raheem M

S/o.Mohamed Maideen

...2nd Respondent/1st Respondent

Writ Petitioner

3 The Revenue Divisional Officer

Melur Madurai District.

4 The Tahsildar

Madurai East Taluk

Madurai District.



5 The Advocate Commissioner
A.Sivaji Advocate
Enrollment No.248/1974
No.36 Lawyers Chambers
Madurai Bench of Madras High Court
Madurai.

6 The Inspector of Police
Silaiman Police Station
Silaiman
Madurai District.

7 Xxxxxx
5th Respondent in the
Main Writ Petition
Was Deleted from the Array
of Parties Vide Order
dated 06.04.2024) ... Respondents/Respondents/Complainant

Prayer in WP(MD).NO.6116 of 2024 :-

This Writ Petition is filed Under Article 226 of the constitution of India, to issue a Writ of Mandamus directing the respondent No.3/Advocate Commissioner to conduct the election of A1 Jamina Jumma Masjid Sunnathul Jamath, LKB Nagar, Sakkimanagalam, Madurai on the basis of this Honourable Court's order in CrI.MP (MD).NO.2765 of 2019 in CrI.OP(MD).NO.3845 of 2016 dated 29.03.2019 in accordance with law.

Prayer in WMP(MD).NO.15328 of 2024 :-

This Writ Miscellaneous Petition is filed Under Article 226 of the constitution of India, declaring the date of election for the mosque namely “A1 Jamina Jumma Masjid Sunnathul Jamath” and give liberty to the petitioner to finalize the voters list in accordance with law and further permit her to avail police protection at any time if any one of them/any group is



illegally clashing into the election matter.

Prayer in WMP(MD).NO.17635 of 2024 :-

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This Writ Miscellaneous Petition is filed Under Article 226 of the constitution of India, To Modify the order made in WMP(MD).No. 15328 of 2024 dated 31.07.2024 by directing the learned advocate commissioner / 1st respondent herein to hold election with 360 members as voters and excluding Kalmedu Nagar residents from the ambit of the electoral college of the Al Jamia Jumma Masjid Sunnathul Jamath, Madurai strictly as per the order made in WP(MD).No. 6116 of 2024 dated 03.04.2024

ORDER:- This Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. M. Mahaboob Athiff, Advocate for the Petitioner and of Mr.M.Benazir Begum, Advocate Commissioner for respondent NO.1 Mr.K.Prakash, Advocate for Respondent No.2, and Mr.K.Balasubramani, Special Government Pleader For R3 and R4, and Mr.Gnanasekaran Government Advocate (Criminal Side) For R6, this Court made the following order:

Thiru.Abdul Kadar who is a part of the management committee of Al Jamia Jumma Masjid Sunnathul Jamath has filed this miscellaneous petition seeking certain clarifications. On 31.07.2024 in W.M.P.(MD)No.15328 of 2024, I had issued certain directions for conducting election for the said Jamath. Since certain doubts had arisen, the present miscellaneous petition came to be



2. When the Court issued certain directions for conducting election for the body, it cannot be in the same breadth to alter or expand the composition of the body. It is submitted by the Advocate Commissioner herself that in the register maintained by Jamath, there are only 360 members. Therefore, the electoral college will have to be confined to only to the said 360 members. I had already stated that any member paying a sum of Rs.600/- can participate in the election process as voter. The advocate commissioner states that she will prepare the election schedule and the election process will commence on 11.04.2025 and conclude by 11.05.2025. A sum of Rs.25,000/- shall be paid as further remuneration to the advocate commissioner from out of the jamath funds. The advocate commissioner is also entitled to reimburse all the expenses that may be incurred by her such as publication etc., The Inspector of Police, Silaiman Police Station is directed to extend his fullest assistance as and when requisitioned by the advocate commissioner.

3. The Writ Miscellaneous Petition is allowed.

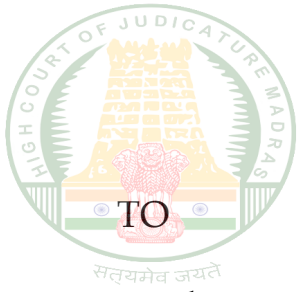
Sd/-

Assistant Registrar

// True Copy //

/03/2025

Sub Assistant Registrar
(CS - I/ II / III /IV)



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1. The Revenue Divisional Officer
Melur Madurai District.

2. The Tahsildar
Madurai East Taluk Madurai District.

3. The Inspector of Police
Silaiman Police Station
Silaiman
Madurai District.

4. Benazir Begum M
Advocate Commissioner
No.143 Lawyers Chambers
Madurai Bench of the Madras High Court Madurai.

5. The Advocate Commissioner
A.Sivaji Advocate
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No.36 Lawyer Chamber
Madurai Bench of Madras High Court Madurai.

6. The Special Govt. Pleader,
Madurai Bench of Madras High Court, Madurai.

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

+1 CC to M/s.Mahaboob Athiff, Advocate (SR-20468 [F] dated 27/03/2025)

+1 CC to M/s.SPL.GP (SR-20612 [F] dated 25/03/2025)



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ORDER DATED : 25/03/2025

ORDER

WMP(MD). No.17635 of 2024

IN

WMP(MD). No.15328 of 2024

IN

WP(MD).NO.6116 OF 2024

Giving direction and etc.
as stated within.

KR/27.03.2025 6P/10C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023