

ITEM NO.MM-B

COURT NO.7

SECTION XIA

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

IA Nos. 2&3 of 2008 In  
Petition(s) for Special Leave to Appeal (Civil) No(s).3967/2008

(From the judgement and order dated 18/12/2007 in CRP No. 460/2006 of The  
HIGH COURT OF KERALA AT ERNAKULAM)

ALIYATHAMMUDA B POOKOYA &amp; ORS.

Petitioner(s)

VERSUS

PATTAKAL CHERIYAKOYA &amp; ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T.,modification of Court's Order and  
prayer for interim relief and office report )

Date: 21/08/2008 This Petition was called on for mentioning today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s) Mr. Krishan Venugopal,Adv.  
Mr. A. Raghunath,Adv.  
Mr. S.M.Nilamuddin,Adv.

For Respondent(s) Mr. E.M.S. Anam,Adv.

Mr. A.D. Sikri,Adv.

Mr. B.V.Deepak,Adv.  
Ms. Gulnaar Muhd, Khan,Adv.for  
M/S. T.T.K. Deepak & Co.

UPON being mentioned by counsel the Court made the following  
ORDER

Issue notice on I.A.No.2. Let such notice be served on  
the learned Advocate-on-Record for the appearing respondents and  
as far as the other respondents are concerned, let the same be  
served in the usual course.

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The respondents will be entitled to file their counter  
affidavits to this application within four weeks. Rejoinder, if any,  
may be filed within two weeks thereafter.

Let the application be listed after six weeks.

As far as I.A.No.3 is concerned, the same is allowed.

Having heard learned counsel for the appearing parties  
on the reliefs prayed for in IA No.2/2008 there will be an interim  
order restraining the respondents from preventing any person

professing the Islamic faith from offering namaz in the mosque.

The respondents shall not also create any obstruction to such persons from attending the special Tarabi prayers which are held during the month of Ramzan.

The local administration shall ensure that this order is strictly complied with and, if required, take the help of the police for maintaining law and order if any such necessity arises..

The Wakf Board operating in the Islands shall depute a person, also professing the Islamic faith, to ensure compliance of this order and to see that the prayers in the mosque, particularly during the period of Ramzan, are not disrupted by anyone and to settle any dispute that may arise between the parties.

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This order is passed in addition to the order of status quo passed on 25.2.2008 while issuing notice.

[SUMAN WADHWA]  
COURT MASTER

[JUGINDER KAUR]  
COURT MASTER