



W.P.No.3396 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 30.01.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3396 of 2026
and W.M.P.No.3809 of 2026

K.Mohamed Yoosuf

.. Petitioner

Versus

1. The Tamil Nadu Wakf Board,
Represented by its Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.
2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.
3. The Superintendent of Wakf Cuddalore,
Office of Hazrath Noor Mohamed Sha Avulia Dargah,
No.512, Gandhi Road, Panrutti,
Cuddalore – 607 106.
4. Z.Abdul Basith

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondent No.1 to prohibit the respondent No.4 from conducting the Santhanakoodu Festival at Sheik



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Sahib Dargah Katib Noor Mohamed Masjid without any authority based on the petitioner's representation, dated 13.10.2025 and also to appoint a new administrator for Sheik Sahib Dargah Katib Noor Mohamed Masjid within a stipulated time frame fixed by this Court.

For Petitioner : Mr.M.H.Dawood

For Respondents : Mr.Avinash Wadwani, for RR-1 to 3

: Mrs.A.Ajmath Begam,
Asstd. by Mr.N.Mohamed Ibrahim, for R4

ORDER

This Writ Petition is filed for a Writ of Mandamus prohibiting the fourth respondent from conducting the *Santhanakoodu* festival at *Sheik Sahib Dargah Katib Noor Mohamed Masjid* without any authority by considering the petitioner's representation, dated 13.10.2025 and also to appoint a new administrator for *Sheik Sahib Dargah Katib Noor Mohamed Masjid* within a stipulated time frame fixed by this Court.

2. Upon hearing the learned Counsel for the petitioner and perusing the affidavit filed in support of the Writ Petition and the other material records, it can be seen that the fourth respondent is acting as a *muthavalli* in respect of the said Waqf namely, *Sheik Sahib Dargah Katib*



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Noor Mohamed Masjid. It is stated that the *dargah* was established by the ancestors of the petitioner as well as the fourth respondent. Every year, *kanthuri* festival used to be conducted on the 27th day of the Ramalan month. For the past 145 years, the said practice has been followed. The 27th day of the Ramalan month is also considered to be an auspicious day for the purpose of remembering the ancestors. The *kanthuri* festival is being conducted in reverence of the ancestors. Therefore, the learned Counsel would submit that merely because the fourth respondent is in management, he cannot arbitrarily and suddenly change the practice and this year, he has published a pamphlet and is making arrangements to conduct the said festival tomorrow i.e., 31.01.2026. Therefore, the petitioner has moved this Writ Petition urgently with a prayer to stop the same.

3. The learned Counsel for the Waqf Board would submit that in view of the paucity of time, specific instructions as to whether the same practice was followed for the past 145 years, could not be ascertained by him. But, the officials would confirm that this kind of *kanthuri/urus kanthuri* festival, normally be conducted on different dates by different Waqfs and there is no general rule that these festivals are conducted only



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on the 27th day of the Ramalan month.

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4. The learned Counsel, by taking notice and appearing on behalf of the fourth respondent, would submit that he is a duly appointed trustee/*muthavalli* who is in management of the *dargah*. He has fixed the festival after ascertaining the convenience of all the religious and pious persons involving bigger *dargahs* also and only to celebrate the festival in a grand and pious manner, the date has been fixed. Date is fixed for tomorrow (i.e., on 31.01.2026) and all the elaborate arrangements are made and people have also arrived and even the cooking of food etc., have already been started.

5. I have considered the rival submissions made on either side and perused the material records of the same.

6. From the arguments of the learned Counsel for the fourth respondent, this Court, as on today, is not able to conclude one way or the other that whether there was any customary practice in the particular Waqf to celebrate the *urus kanthuri* only on the 27th day of the Ramalan month. The petitioner has placed the pamphlet that was published for the year



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2025 that states that it was on the 27th day of the Ramalan month.

Therefore, even though there cannot be a general religious rule that it has to be celebrated only on a particular day, if, by way of a customary practice in a particular Waqf, it is celebrated only on the 27th day of the Ramalan month for all the 145 years, then, it can be followed. Today, since this Court is not in a position to give a finding in one way or other and when, for celebrating the *urus kanthuri* festival, all the arrangements are also made, interfering the same at the last minute without even being sure of the customary practice, may not also be right.

7. As far as the second prayer is concerned, for the conduct of the festival alone, the duly appointed administrator need not be changed. If there are any other charges, it will be open for the petitioner to make a representation to the appropriate authorities. Therefore, the second limb of the prayer need not be granted and it will be open for the petitioner to pursue the representation.

8. This Writ Petition is disposed of on the following terms:-

(i) The petitioner, along with a web-copy of this order, shall make a representation to the Chief Executive Officer, the Tamil Nadu



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Waqf Board, from the date of receipt of a web-copy of this order without waiting for a certified copy of this order;

(ii) On the said representation, the Chief Executive Officer, Tamil Nadu Waqf Board shall hear the petitioner as well as the fourth respondent and any other person interested in the *dargah* and decide whether, for the past 145 years, the *urus kanthuri* festival has been conducted only on the 27th day of the Ramalan month or not;

(iii) It will also be open for the fourth respondent to plead before the Chief Executive Officer that if the date of death of the ancestors is not exactly known, it is desirable to conduct the *urus kanthuri* festival in the month of Shaban. It is for the Chief Executive Officer to consider both and pass a speaking order;

(iv) In any event, the arrangements that are made to celebrate the festival tomorrow (i.e., on 31.01.2026) can go on. If the Chief Executive Officer comes to a conclusion that it is better or it has to be celebrated only on the 27th day of the Ramalan month, as per the decision, the date can be adhered to from the next year onwards.

(v) Any party, aggrieved by the order of the Chief Executive Officer, can approach the appropriate forum to establish the customary practice and thereafter, the parties will be governed by the further decision.



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(vi) There shall be no order as to costs. Consequently,

connected miscellaneous petition is closed.

30.01.2026

Neutral Citation : no
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To

1. The Chairman,
The Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.
2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
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4. The Chief Executive Officer,
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D.BHARATHA CHAKRAVARTHY, J.

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