

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Writ Petition No.35041 of 2015

K.Sadiq Basha

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Wakf Board,
Indira Nagar, Adyar,
Chennai-600 020.

2. The Superintendent,
Tamil Nadu Wakf Board,
Coimbatore.

3. The Inspector,
Tamil Nadu Wakf Board,
Erode.

... Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of Writ of Mandamus directing the respondents to grant permission in favour of the petitioner to conduct the festival on 31.10.2015 and 01.11.2015 or the date fixed by the respondents by considering the petitioner's representation dated 19.10.2015.

For Petitioner : Mr.R.Marudhachalamurthy
For Respondents : Mr.V.Lakshminarayanan

सत्यमेव जयते
O R D E R

The petitioner has come forward to file this writ petition on the ground that in pursuant to the power of attorney said to have been executed by his father, who allegedly acted as Muthavalli, he is looking after the affairs of the Shek Alavudeen Basha Durgha after his death. The petitioner has made a representation seeking permission to conduct the festival. As the festival is proposed to be conducted on 31.10.2015 and 01.11.2015, the petitioner rushed to this Court.

2. The learned counsel appearing for the respondents 1 and 2 submitted that there are rival claims, and it takes some time to resolve the inter se dispute. One Janaba A.Fathima Begum has been given permission to do the festival and the permission to conduct the festival is only for this year as a temporary measure. The inter se right of the parties to conduct the festival for the next year would be after conducting thorough enquiry by calling them.

3. This Court does not find any perversity in the decision made. It is only a temporary measure. Therefore, this Court is not inclined to pass any order except by directing respondents 1 to 3 to conduct a detailed enquiry and make a decision about the rights of the parties to conduct the festival for the next year.

4. With the above observation, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

raa

To

1. The Chairman,
Tamil Nadu Wakf Board,
Indira Nagar, Adyar,
Chennai-600 020.
2. The Superintendent,
Tamil Nadu Wakf Board,
Coimbatore.
3. The Inspector,
Tamil Nadu Wakf Board, Erode.

+1cc to Mr.R.Marudhachalamurthy, Advocate, S.R.No.59331
W.P.No.35041 of 2015
PA(CO)
CA(24/11/2015)