



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2016

CORAM

THE HONOURABLE **MR. JUSTICE T. RAJA**

W.P(MD) .No.13738 of 2016

and

W.M.P (MD) No.10246 of 2016

J.Mohamed Ibrahim

... Petitioner

Vs.

1.The Director of Town Panchayat
Kuralagam, Chennai - 600 108.

2.The Assistant Director of Town Panchayat,
District Collector's Campus,
Thanjavur.

3.The District Collector,
Nilgiris District,
Nilgiris.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a WRIT OF MANDAMUS to direct the first respondent to issue No Objection Certificate to the petitioner for performing his religious duty of Haj Pilgrimage from 3.9.2016 to 17.09.2016 forthwith as per the representation of the petitioner dated 25.05.2016.

For petitioner : Mr.Veerakathiravan
Senior Counsel for
Mr.C.Jeganathan

For respondents : Mr.G.Muthukannan G.A.,

ORDER

Mr.J.Mohamed Ibrahim, who is serving as Record Clerk under first respondent herein/Directorate of Town Panchayat from 21.03.1994, has been given promotion to the post of Executive Officer, Grade-I in Adigaratty Town Panchayat, Nilgiris District, the third respondent herein. He has decided to go on Pilgrimage. Therefore, he has made a request on 04.04.2016 to the first respondent. The third respondent has also given No Objection Certificate permitting him to perform his religious obligation for Pilgrimage (Umrah). But the permission could not be granted before



the commencement of Umrah in June 2016. Although the first respondent has made a communication to the second respondent enclosing all the documents to ascertain whether there is any departmental proceedings for giving permission to the petitioner to go on Pilgrimage, he is unable to perform his Pilgrimage to Mecca. Therefore, a direction may be given to the respondents to issue No Objection Certificate to the petitioner to go on Pilgrimage from 03.09.2016 to 17.09.2016.

2. Mr.G.Muthukannan, learned Government Advocate would submit that a proposal has already been sent and the same is also pending on the file of first respondent.

3. Since the petitioner is seeking permission to go on Pilgrimage, this Court finds no impediment for the respondents to consider his request. Therefore, the proposal pending on the file of the first respondent may be considered forthwith. Accordingly, the first respondent is hereby directed to consider and issue suitable No Objection Certificate to the petitioner within a period of one week from the date of receipt of a copy of this order.

4. With the above direction, this writ petition is disposed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To

1.The Director of Town Panchayat
Kuralagam, Chennai - 600 108.

2.The Assistant Director of Town Panchayat,
District Collector's Campus,
Thanjavur.

3.The District Collector,
Nilgiris District,
Nilgiris.

+1 CC to M/s.C.JEGANATHAN, Advocate, SR No.43168

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