

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.3975 of 2017

A.M.S.Ameenullah

... Petitioner

Versus

1.The Superintending Archaeologist,
Archaeological Survey of India,
Chennai Circle, Fort St. George,
Chennai - 600 009.

2.The Commissioner,
Department of Archaeology,
Tamil Valarchi Valaagam,
Tamizh Salai, Egmore,
Chennai - 600 008.

3.Union of India,
Rep. By its Secretary to Ministry of Culture,
Central Government, Shastri Bhawan,
New Delhi - 110 015.

... Respondents

Prayers: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to directing the respondents to permit the petitioner to take out his antique Holy Quran book in Arabic handwritten on hand-made paper bearing dimensions of height 2 centimetres and with 1.5 centimeters to the United Kingdom for testing its age and giving a fair report so as to obtain a fair report on the age and other allied details pertaining to the said Holy Quran book.

For Petitioner : M/s.PL.Narayanan

For RR1 & 3 : Mr.Su.Srinivasan,
Assistant Solicitor General

For RR2 : No Appearance

O R D E R

The petitioner has filed this Writ Petition praying to direct the respondents to permit him to take out his antique Holy Quran book in Arabic handwritten on hand-made paper bearing dimensions of height 2 centimetres and with 1.5

centimeters, to the United Kingdom for testing its age and giving a fair report, so as to obtain a fair report on the age and other allied details pertaining to the said Holy Quran book.

2. The learned counsel appearing for the petitioner has submitted that the petitioner is in possession of a Holy Quran book in Arabic handwritten on hand-made paper, which is an invaluable object. The petitioner wanted to ascertain the age of the Holy Quran book, for which no facility is available in India. The said facility is available only in the Oxford University Press, United Kingdom. Hence, the petitioner wanted to take the Holy Quran book to the Oxford University Press. But, the first respondent has not allowed him to take the book out of India, stating that the Holy Quran book is an antiquity. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned Assistant Solicitor General appearing for the respondents 1 & 2 has submitted that the relief prayed for by the petitioner cannot be granted at this stage. The petitioner has to get permission from the Director General, Archaeological Survey of India, Janpath, New Delhi by filing an application in appropriate form. Hence, the same may not be considered at this stage.

4. In view of the above said submission made by the learned Assistant Solicitor General, this Court cannot entertain the prayer as sought for by the petitioner at this stage. However, liberty is granted to the petitioner to file an application before the Director General, Archaeological Survey of India, Janpath, New Delhi, within two weeks from the date of receipt of a copy of this order. On receipt of the said application, the Director General, Archaeological Survey of India, Janpath, New Delhi, has to consider the same and pass orders, on merits and in accordance with law, as expeditiously as possible, preferably within a period of 12 weeks from the date of receipt of the said application.

5. With the above observation and directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

pvs

To

1.The Superintending Archaeologist,
Archaeological Survey of India,
Chennai Circle, Fort St. George,
Chennai - 600 009.

2.The Commissioner,
Department of Archaeology,
Tamil Valarchi Valaagam,
Tamizh Salai, Egmore,
Chennai - 600 008.

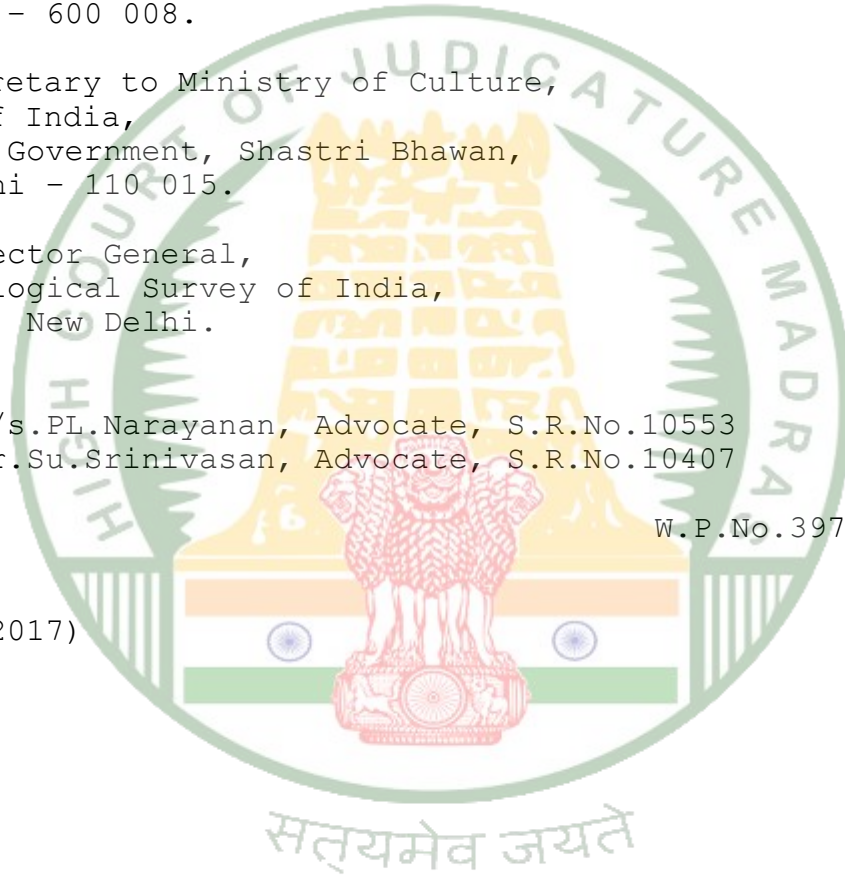
3.The Secretary to Ministry of Culture,
Union of India,
Central Government, Shastri Bhawan,
New Delhi - 110 015.

4.The Director General,
Archaeological Survey of India,
Janpath, New Delhi.

+1cc to M/s.PL.Narayanan, Advocate, S.R.No.10553
+1cc to Mr.Su.Srinivasan, Advocate, S.R.No.10407

W.P.No.3975 of 2017

KJ(CO)
CA(21/02/2017)



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