



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.07.2018

CORAM:
THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.A(MD)NO.45 OF 2015
and
M.P(MD)Nos.1 and 2 of 2015

Mohamed Musthafa :Appellant/Petitioner/Petitioner

.vs.

1.The Government of Tamil Nadu,
represented by Principal Secretary to
Government, Backward Classes, Most
Backward Classes and Minorities Welfare
(S2) Department,
Fort St.George,
Chennai.

2.The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-1.

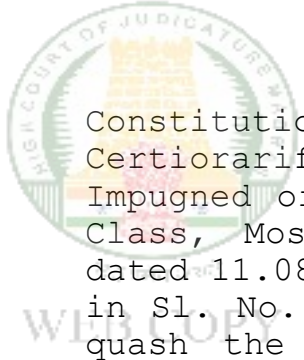
3.The Superintendent of Wakf,
No.12, Kilethar Street,
Babu Road,
Trichy District.

4.A.Abdul Majid :Respondents/Respondents/
Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent
praying this Court to set aside the order passed by this Court in
M.P(MD)No.1 of 2015 in W.P(MD)No.16105 of 2014, dated 20.01.2015.

Prayer in MP(MD)No.1/2015:

Writ Miscellaneous Petition is filed under Article 226 of the
Constitution of India, praying this Court to permit the petitioner
herein to conduct the Urs Festival from 21.01.2015 to 31.01.2015 in
the Mohaideen Andavar Dargah Pallivasal in Pulivalam, Musiri Taluk,
Trichy, pending disposal of the above writ petition.



Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned order of the first respondent in G.O. (D) No. 32 Backward Class, Most Backward Class & Minorities Welfare (S2) Department dated 11.08.2014 confirming the Impugned order of the 2nd respondent in Sl. No. 10 Item 9/11 Na.Ka. 12378/97/A5/Trichy dated 22.10.2013, quash the same and consequently forbear the respondents 1 to 3 herein from in any way affecting the function and administration of the Petitioner as Muthavalli in the Mohaideen Andavar Dargha Pallivasal in Pullvalam, Musiri Taluk, Trichy.

For Appellant

:Mr.R.Sundar

For Respondent-1

:Mr.C.M.Mari Chelliah Prabu
Additional Govt.Pleader

For Respondents
2 and 3

:Mr.K.K.Senthil

JUDGMENT

[Judgment of the Court was made by K.RAVICHANDRABAABU,J.]

This Writ Appeal is directed against the interim order made in M.P(MD)No.1 of 2015 in W.P(MD)No.16105 of 2014, dated 20.01.2015.

2.The learned counsel for the appellant submitted that since the festival itself was conducted on 21.01.2015 to 31.01.2015 in pursuant to the interim order granted by the Writ Court, nothing survives in this Writ Appeal to be adjudicated upon further. However, he sought for a direction to the Writ Court to dispose of the main Writ Petition, at an early date.

3.considering the above-stated facts and circumstances and without expressing any view on the merits of the contentions raised by both parties, this Writ Appeal is disposed of as infructuous, however, by requesting the Writ Court to take up the main Writ Petition and dispose of the same, on merits and in accordance with law, after hearing all the parties concerned, as expeditiously as possible, in any event, within a period of four weeks from the date of receipt of copy of this order. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/

Assistant Registrar (AS)

/True copy/



To

1.The Principal Secretary to
Government, Backward Classes, Most
Backward Classes and Minorities Welfare
(S2) Department,
Government of Tamil Nadu,
Fort St.George,
Chennai.

2.The Chairman,
Tamil Nadu Wakf Board,
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Vallal Seethakathi Nagar,
Chennai-1.

3.The Superintendent of Wakf,
No.12, Kilethar Street,
Babu Road,
Trichy District.

+1cc to Mr.R.SUNDAR, Advocate, SR.No.75528

+1cc to M/s.Special Government Pleader,SR.No. 75546

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and
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VSN

KK/SKN RSK/16.08.2018/SAR-1/3P-6C