

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition No.2109 of 2019
and
W.M.P.Nos.3080 and 3349 of 2019

Haja Noordeen Sahib @
Alhaj Dr.S.Syed Kamil Sahib

...Petitioner

Vs

1.The Adhoc Board of Administrators,
Nagore Dargah Interim Adhoc Administrators,
Nagore Dargah, Nagore - 611 002.
Nagapattinam District.

2.The Manager,
represented by Mr.Jahabar Hussain,
Nagore Dargah, Nagore - 611 002.
Nagapattinam District.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing first respondent herein to permit the petitioner to his family members and his subordinates to participate/perform the holy rituals which relate to the deceased eighth Trustee.

For Petitioner : Mr.S.Haja Mohideen Gisthi
For Respondents : Mr.V.Lakshmi Narayanan

ORDER

[Order was made by R.SUBBIAH, J]

Learned counsel for petitioner seeks permission of this Court to withdraw the present Writ Petition with liberty to file a fresh Writ Petition and has also made an endorsement to that effect.

2. Learned counsel for proposed party in W.M.P.No.3349 of 2019 in W.P.No.2109 of 2019 objects to grant liberty stating that connected issue is pending before the Honourable Supreme

Court and a petition seeking clarification in connection therewith has also been filed and hence, pending decision of the Honourable Supreme Court in the clarification petition, petitioner would not be entitled to file a fresh Writ Petition.

3. On the other hand, learned counsel for petitioner submits that decision on the clarification petition is nothing to do with the present petitioner.

In the aforesaid circumstances, this Court dismisses the Writ Petition as withdrawn with liberty to file a fresh Writ Petition after obtaining necessary clarification from the Honourable Supreme Court. No costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Adhoc Board of Administrators,
Nagore Dargah Interim Adhoc Administrators,
Nagore Dargah, Nagore - 611 002.
Nagapattinam District.

+1 cc to M/s.V.Raghavachari, Advocate Sr.No. 66661
+1 cc to Mr.S.Kaithamalai Kumaran, Advocate Sr.No.66553
+1 cc to Mr.S.Sounthar, Advocate Sr.No.66958

AKM/16.09.19/2P-5C /

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