

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.10775 of 2019

The Muthavalli,
Janab S.Syed Shanbasha Kadhari,
Hajarath Syed Bathaksha Madhani Dhargah Shareef,
Madhani Domp Wakf,
Gingee Road, Chetpet,
Polur Taluk,
Thiruvannamalai District. Petitioner

Versus

- 1.The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
- 2.The Deputy Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
- 3.The Inspector of Police,
Chetpet Police Station,
Chetpet,
Thiruvannamalai District.
- 4.Ibrahim. Respondents

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the respondents 1 to 3 to give police protection to conduct the 'Sandhana Koodu Urus' festival at Hajarath Syed Bathaksha Madhani Dhargah Shareef, Madhani Domp Wakf, Gingee Road, Chetpet, Polur Taluk, Thiruvannamalai District during the month of April 2019.

For Petitioner : Mr.M.Saravanakumar

For R1 to R3 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This writ petition has been filed by the petitioner directing the respondents 1 to 3 to give police protection to conduct the 'Sandhana Koodu Urus' festival at Hajarath Syed Bathaksha Madhani Dhargah Shareef, Madhani Domp Wakf, Gingee Road, Chetpet, Polur Taluk, Thiruvannamalai District during the month of April 2019.

2.The petitioner is the Muthavalli of Hajarath Syed Bathaksha Madhani Dhargah Shareef, Madhani Domp Wakf, Gingee Road, Chetpet, Polur Taluk, Thiruvannamalai District. One of the faction of the said Dhargah had continuously opposed for conducting the festival of "Sandhana Koodu Urus". During the year 2018, Dhargah had been split into factions at which one faction under the leadership of petitioner and another faction is under the leadership of 4th respondent herein.

3.It is seen that the rival groups have given a complaint with the 3rd respondent Police on 22.12.2018. On receipt of the same, the 3rd respondent had referred the matter under Section 145 of Cr.P.C and both parties have mutually arrived consensus for conducting festival of both factions under certain conditions. Therefore, the petitioner had approached the 3rd respondent Police to grant Police protection for conducting the above said festival.

4.Considering the facts and circumstances, the 3rd respondent is directed to consider the request of the petitioner by the representation dated 15.03.2019 and conduct an enquiry after giving opportunity of hearing to the counter party viz., the 4th respondent herein in respect of the police protection and pass orders on merits in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5.With the above said direction, this writ petition is disposed of. No costs. सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

2.The Deputy Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

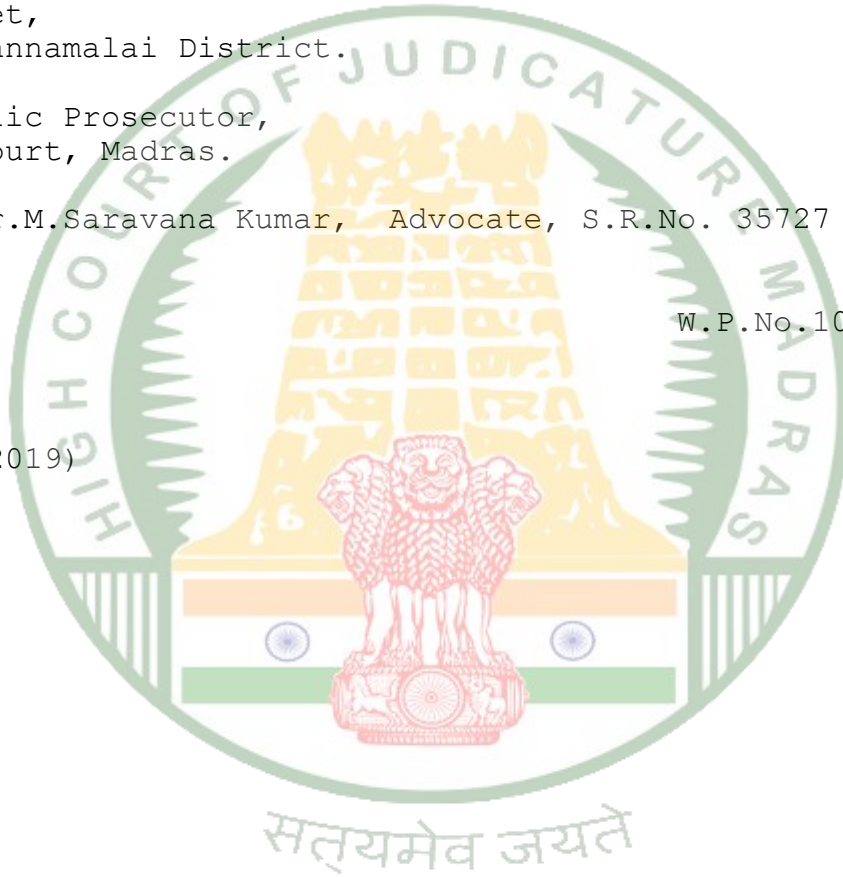
3.The Inspector of Police,
Chetpet Police Station,
Chetpet,
Thiruvannamalai District.

4.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.M.Saravana Kumar, Advocate, S.R.No. 35727

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MP (CO)
GN (15/04/2019)



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