



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No. 25964 of 2021

Nagore Dargah Sahibmargal Sangam (SRG/Nagai/50/2021)

Represented by its Secretary

Mohamed Ghouse Sahib

S/o Syed Mohamed Sahib

2/37, Kalmattu Street,

Nagore - 611 002,

Nagapattinam District.

...Petitioner

-vs-

1. The Adhoc Board of Administrators,

Nagoor Dargah,

Nagore Dargah Office,

Nagore - 611 002.

2. The Manager,

Nagore Dargah Office,

Nagore - 611 002.

3. Tamil Nadu Wakf Board,

Represented by its Chairman,

1, Zafer Syrang Street, Vallal Seethakathi Nagar,

Chennai - 600 001.

4. The Superintendent of Police,

Nagapattinam.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 26.10.2021, 02.11.2021 and 19.11.2021 respectively and direct them to allow the petitioner Sangam to work as a volunteers in the Annual Urus 2022 and pass suitable orders within a stipulated time.



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For Petitioner : Ms.Ajimath Begam
For Respondents : Mr.Haja Mohideen Gisthi
Standing Counsel for R1 to R3
Mrs.R.L.Karthika
Government Advocate for R4

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 26.10.2021, 02.11.2021 and 19.11.2021 respectively and direct them to allow the petitioner Sangam to work as a volunteers in the Annual Urus 2022 and pass suitable orders within a stipulated time.

2. The petitioner claims to be an NGO and during the Kandoori Festival in Nagore Dargah, the petitioner NGO had been doing various welfare and voluntary service to large number of devotees who throng into Nagore Dargah. In this regard, some recognition has to be given by way of identification of the members of the NGO, so that, hassle free service can be undertaken by the members of the NGO. Therefore, in order to get such recognition or approval at the hands of the third respondent, as the first respondent / Adhoc Board of Administration itself is now under the third respondent, the petitioner had given representation on 26.10.2021, followed by the reminder representations dated 02.11.2021 and 19.11.2021 and in order to consider those representations and to pass orders thereon, as the forthcoming Kandoori Festival is slated sometime in January 2022, the present Writ Petition has been filed with the aforesaid prayer.

3. Reiterating the aforesaid, the learned counsel appearing for the petitioner seeks indulgence of this Court to issue a direction.

4. Heard Mr.Haja Mohideen Gisthi, learned Standing counsel appearing for the first to third respondents who submits that, since the first and second respondents control, i.e., supervisory control since vested with the third respondent, the third respondent is the authority to decide as requested by the petitioner through his representation. Therefore, in this regard, the third respondent would consider and pass orders on the representation of the petitioner dated 26.10.2021 on merits and in accordance with law within a time frame that may be stipulated by this Court.



5. Having considered the said submission made by the learned counsel appearing for both parties, especially the learned Standing counsel appearing for the first to third respondents, this Court is inclined to dispose of this Writ Petition with the following order:

"that there shall be a direction to the third respondent to consider the representation of the petitioner dated 26.10.2021 and pass orders thereon on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order. "

6. With these directions, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rap / vji

To

1. The Adhoc Board of Administrators,
Nagoor Dargah,
Nagore Dargah Office,
Nagore - 611 002.
2. The Manager,
Nagore Dargah Office,
Nagore - 611 002.
3. Tamil Nadu Wakf Board,
Represented by its Chairman,
1, Zafer Syrang Street, Vallal Seethakathi Nagar,
Chennai - 600 001.
4. The Superintendent of Police,
Nagapattinam.

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CP(CO)
KKV/14/12/2021