



W.A.No.2787 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.2787 of 2022

J.Yousufdeen @ Syed Hall Kalandar Alisha
Son of Late Sadguru Syed Hall Kadar Alisha
@ S.K.Jainulabidin

.. Appellant

v.

1. Sarguru Sayed Karim Alisha Sadar
Sarkalifa Refaye Aithroos Kadire
Son of late Mohamed Abubacker

2. The Managing Trustee
Nagore Dargah
Nagore 611 002

3. The Manager
represented by Mr.Jahabr Hussain
Nagore Dargah, Nagore 611 002
Nagapattinam District



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4. Syed Hasimullah Shah Moulana
Hussaini Rafai Ahmedi Khadri
Son of Sadiq Moulana @
late Syed Abudulasha

5. Haji Kaji S.A.Sheik Hassan Sayeeb Khadri

6. Syed Mohammed Kalifa Sayeeb .. Respondents

Appeal filed under Clause 15 of the Letters Patent, against the order dated 18.11.2022 passed in W.P.No.2356 of 2020.

For Appellant :: Mr.S.S.Kumar for
Mr.Y.Mohamed Ghouse

For Respondents :: Mr.J.Ravindran
Senior Counsel
for Mr.B.K.Girish Neelakantan
for R1
Ms.A.Ajimathbegum for
R2, R3 & R6

JUDGMENT

(Judgment of the Court was made by the Hon'ble Acting Chief Justice)

This writ appeal has been directed against the impugned order dated 18.11.2022 passed by the learned single Judge in Writ Petition No.2356 of 2020.

2. The third respondent in the writ petition is the appellant herein.



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When notice was issued by the learned single Judge in the writ petition, the appellant herein, for the reasons best known to him, even after service of notice, failed to enter appearance and not even filed his counter affidavit. Secondly, there appears to be a dispute between the first respondent/writ petitioner and his father-in-law. Thirdly, the learned single Judge has also given a direction to the second respondent herein to consider the plea of first respondent/writ petitioner to recognise him as a Sarguru for the purpose of participating in the forthcoming 466th Annual Urs festival to be conducted from 20.12.2022 and pass orders thereon within a period of two weeks from the date of receipt of a copy of the order. Therefore, if the appellant stands aggrieved for any other reason, it is for him to workout his remedy and without there being any cause of action, the appellant cannot maintain this writ appeal. Therefore, the writ appeal stands dismissed. Consequently, C.M.P.Nos.22637 & 22638 of 2022 are also dismissed. However, there shall be no order as to costs.

Speaking/Non speaking order
Index : yes/no
SS

(T.R.,A.C.J.) (D.B.C.,J.)
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- To
1. The Managing Trustee
Nagore Dargah
Nagore 611 002



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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

SS

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