



W.P.(MD)No.16361 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.16361 of 2023

N.Mohammed Abbas Maraikkayar

... Petitioner

Vs

1.Tamil Nadu Waqf Board,
Represented by its Chief Executive Officer,
No.1, Jaffar Syrang Street, Vallal Seethakadi Street,
Chennai-1.

2.The District Collector,
Thanjavur Collectorate Campus, Thanjavur.

3.The Superintendent of Police,
O/o. the Superintendent of Police,
Thanjavur.

4.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Pattukkottai, Thanjavur District.

5.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Pattukkottai, Thanjavur District.

6.The Inspector of Police,
Athirampattinam Police Station,
Athirampattinam, Thanjavur District.

7.SyedSalahuddin ...Respondents
(Respondent No.7 is impleaded vide Court Order dated 21.07.2023 in W.M.P.
(MD).No.14391 of 2023 in W.P.(MD).No.16361 of 2023)



W.P.(MD)No.16361 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing respondent Nos.3, 4 and 6 to provide police protection to conduct 584th year Kanthuri Festival at Hazrath Haja Sheik Alavudeen Dharga, situated on Beach Street in Yeripurai Village in Pattukkottai, Thanjavur District, from 15.08.2023 to 31.08.2023 in the light of the Judgment in W.O.P.No.12 of 2009, dated 16.09.2016 and the letter passed by the respondent No.1, dated 04.08.2022.

For Petitioner : Mrs.T.Seeni Syed Amma

For R-1 : No Appearance

For R-2 to R-6 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a Mandamus under Article 226 of the Constitution of India directing respondent Nos.3 to 6 / Police to permit the petitioner to conduct 584th year Kanthuri Festival at Hazrath Haja Sheik Alavudeen Dharga, situated on Beach Street in Yeripurai Village in Pattukkottai, Thanjavur District, from 15.08.2023 to 31.08.2023.

2. Mr.D.S.Haroon Rasheed, Advocate, who has taken notice for respondent No.1, is not present.



W.P.(MD)No.16361 of 2023

WEB COPY

3. Earlier order, dated 06.07.2023, passed by this Court, is extracted hereunder:

“3. It is submitted by the learned counsel for the petitioner that as per the order in W.O.P.No.12 of 2009, the petitioner is declared as a hereditary trustee, who can conduct the Urus during the festive season and for the rest of the year, the Committee constituting from four groups will have to manage the Dharga. It is submitted that an application filed by the petitioner seeking to provide police protection and bandobust for conducting Urus has not been disposed of. Learned counsel for the respondent Wakf Board has submitted that earlier the Wakf Board also permitted the petitioner to conduct the Urus, but, subsequently, disputes arose among rival groups.”

4. Considering the circumstances, since learned Government Advocate (Criminal Side), after having gone through the orders in W.O.P.No.12 of 2009, has reported that the Police have no objection for giving permission to conduct Urus in Hazrath Haja Sheik Alavudeen Dharga as per the orders in W.O.P.No.12 of 2009, the respondent Police are directed to provide permission to the petitioner to conduct 584th year Kanthuri Festival at Hazrath Haja Sheik



W.P.(MD)No.16361 of 2023

Alavudeen Dharga only during the Urus festival and the respondent Police are further directed to impose conditions as required keeping in view of law and order problem and other issues prevailing while permitting the permission for the petitioner to conduct Urus festival from 15.08.2023 to 31.08.2023.

5. Accordingly, this Writ Petition stands disposed of. No costs.

10.08.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg
To



W.P.(MD)No.16361 of 2023

- 1.The District Collector,
Thanjavur Collectorate Campus, Thanjavur.
- 2.The Superintendent of Police,
O/o. the Superintendent of Police,
Thanjavur.
- 3.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Pattukkottai, Thanjavur District.
- 4.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Pattukkottai, Thanjavur District.
- 5.The Inspector of Police,
Athirampattinam Police Station,
Athirampattinam, Thanjavur District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



W.P.(MD)No.16361 of 2023

DR.D.NAGARJUN, J.

tsg

W.P.(MD)No.16361 of 2023

10.08.2023