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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED **12.08.2024**

CORAM

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

W.P.No. 23351 of 2024

A.Amanullah Sheriff

... Petitioner

..Vs..

1. The District Collector
Cuddalore District
Cuddalore.
2. The Superintendent of Police
Cuddalore District
Cuddalore
3. The Inspector of Police
Cuddalore N.T Police Station
Cuddalore.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 02.08.2024 for giving police protection to the Uruz ceremony to be conducted on 13.08.2024 to 15.08.2024 situated at Manjakuppam, Cuddalore.

For Petitioner

:: Mr. C.R.Gokulvisvas
for S.Sasikumar

For Respondents

:: Mr. K.M.D. Muhilan



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Government Advocate
(Crl. Side)

ORDER

The petitioner seeks police protection to conduct Uruz ceremony between 13.08.2024 to 15.08.2024.

2. Mr.R.Abdul Mubeen, learned Senior Panel Counsel for Tamil Nadu Waqf Board submits that the dispute between the management of the Dargah and the Management of the Mosque has been pending by way of a civil suit for long time and when the matter was taken up for consideration by the Waqf Board on 25.07.2024, the Chief Executive Officer of the Tamil Nadu Waqf Board, after considering the rival submissions and claim of one group that they are managing Dargah and claim of another group that they manage both Dargah and Mosque, has taken a conscious decision that the ensuing uruz festival to be conducted on their supervision of the Mosque administrator and the same should be monitored by the Superintendent of Police, Waqf Board, Cuddalore.

3. Mr. K.M.D. Muhilan, learned Government Advocate (Crl. Side) submits that two applications have been received for conducting Uruz festival at Manjakuppam mosque one by the



petitioner herein, who claims as Muthalwali of the Dargah situate inside the Mosque premise and another by the Administrator of the mosque presided by Janab Sathar Bakq. He further submits that based on the order passed by the Tamil Nadu Waqf Board, in his proceedings dated 25.07.2024, appropriate decision will be taken.

4. This Court, after perusing the records and hearing the counsels, finds that there is a rival claim relating the administration of the Manjakuppam Mosque, which is the Dargah as well as mosque within its premise, the dispute between two groups been considered by the Court as well as the Waqf Board on various occasions. However, the right of the petitioner herein not yet been declared as Muthalwali of the Dargah which he claims consistently.

5. However, till his right to administer the Dargah which is within the mosque premise is ascertained or declared. This Court is of the view that the proceedings of the Chief Executive Officer, Tamil Nadu Waqf Board on 25.07.2024 will be the appropriate direction. As far as the relief sought for the petitioner herein to conduct Uruz festival from 13.08.2024 to 15.08.2024 not supported by any request from the management of the mosque. The documents produced



during the course of arguments indicate that on 06.06.2022, the administrative committee for the said mosque been elected and recognised by the Waqf Board as the 13 Jamadars elected shall be the administrative committee for the Manjakuppam mosque. Their three years tenure gets expired on 18.11.2024. Till then, it is for them to conduct festival and carry on the administration of the Waqf.

6. The request of the petitioner to conduct Uruz festival independently excluding the administrators of the mosque or without their consent may not be appropriate in the light of the order passed by the Waqf Board on 25.07.2024. The petitioner if he has any grievance regarding administration of the Dargah, he has to work out his remedy before the appropriate authority in the manner known to law.

7. The Writ Petition stands disposed of. No costs.

12.08.2024

vsg
Index: Yes/No
Internet: Yes/No
Speaking / Non Speaking Order



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G.JAYACHANDRAN, J.,
vsg



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