



W.A.No.1057 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24.04.2025

CORAM :

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM  
AND  
THE HON'BLE MR.JUSTICE K.RAJASEKAR

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Mr.Mohammed Noorullah Sherif  
S/o. Late Abdullah Sherif  
Secretary, Masjid-E-Aalishaan  
Usman Lane (Munro Lane)  
Military Quarters  
St.Thomas Mount  
Chennai 600 016

.. Appellant

Vs

Brigadier  
Station Commander  
Station Head quarters  
PIN (Army) 900 432  
Fort St.George  
Chennai 600 009

.. Respondent

Memorandum of Grounds of Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 07.08.2024 passed in W.P.No.18325 of 2021.

For Appellant :: Ms.Syed Kaleesha A



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For Respondent :: Mr.V.Chandrasekaran  
Senior Panel Counsel

JUDGMENT

(Judgment of the Court was made by S.M.SUBRAMANIAM,J.)

The writ order dated 07.08.2024 in W.P.No.18325 of 2021 is under challenge in the present writ appeal. The writ petitioner is the appellant.

2. The grievances of the appellant are that the respondent Station Commander, Station Headquarters, Indian Army is not permitting civilians to offer prayers in the subject mosque located inside the military quarters. Admittedly, Masjid-E-Aalishaan is situate in the army land. The appellant submitted a representation to the Brigadier/Station Commander, who in turn considered the representation and passed a speaking order in proceeding dated 29.06.2021. The authority relied upon the Cantonment Land Administration Rules, 1937, Chapter IV, Rule 14(vi) is applicable in ibid and the relevant rule reads as follows:-

“The erection of a mosque or other religious building on defence land for the use of a community is not justifiable, unless it can be shown that the individual affected, would by



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reason of circumstances, by the reason of their official employment, suffer real hardship if the facility were granted.”

Further in Rule 14(vi)(b) the following is amplified:-

“Religious buildings erected in the lines are primarily for the use of the men connected with the unit and no outsiders will be permitted to use such buildings without the authority of the officer commanding.”

3. Relying on the above rule, the Station Commander rejected the representation submitted by the appellant. It is specifically stated that Masjid-E-Aalishaan erected inside the Usman Lane Military Quarters is primarily for the use of the men connected with the unit and strictly not for outsiders as per the Cantonment Land Administration Rules, 1937.

4. The learned counsel for appellant would submit that entry for outsiders was prohibited during Covid-19 period. In any case, High Court cannot interfere with an administrative decision taken by the military authorities for not allowing outsiders to enter into the Army premises for worship or otherwise. It is the prerogative of the administration to take a



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decision whether to permit outsiders or not. In the present case, relying on the Cantonment Land Administration Rules, 1937, the authority has taken a decision not to permit outsiders. The writ Court also elaborately considered the facts and the legal principles and rejected the writ petition. This Court does not find any further reason to interfere with the writ order impugned. Accordingly, the writ appeal stands dismissed. Consequently, C.M.P.No.8488 of 2025 is also dismissed. No costs.

Index : yes

Neutral citation : yes/no

(S.M.S.,J.) (K.R.S.,J.)

24.04.2025

ss

To

The Station Commander  
Station Head quarters  
PIN (Army) 900 432  
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S.M.SUBRAMANIAM,J.

AND

K.RAJASEKAR,J.

SS

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