

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

WP(C).No. 2886 of 2015 (I)

PETITIONER(S):

1. MUHAMMED RAFI, AGED 37 YEARS,
S/O.MUHAMMED KOYA, MULLAVEETIL HOUSE,
OLAVANNA AMSOM DESOM, KOZHIKODE, PRESIDENT,
HIDAYATHUL ISLAM MADRASSA PARIPALANA SANGHAM,
OLAVANNA.
2. SHIHABUDHEEN, AGED 42 YEARS,
S/O.KUNHI MOIDEENKUTTY, MANGATTU HOUSE, OLAVANNA AMSOM,
KOZHIKODE, SECRETARY,
HIDAYATHUL ISLAM MADRASSA PARIPALANA SANGHAM,
OLAVANNA.

**BY ADVS.SRI.P.K.MOHAMMED PUZHAKKARA
SRI.T.K.HASSAN
SRI.SAJEEVAN KURUKUTTYULLATHIL**

RESPONDENT(S):

1. THE KERALA STATE WAKF BOARD,
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER,
V.I.P.ROAD, KALOOR, KOCHI - 17.
2. THE DIVISIONAL OFFICER,
KERALA STATE WAKF BOARD, DIVISIONAL OFFICE,
KOZHIKODE - 673 328.

BY SRI.K.SHIBILI NAHA, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 2886 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF THE REGISTRATION CERTIFICATE OF HIDAYATHUL ISLAM
MADRASSA ISSUED FROM THE KERALA STATE WAKF BOARD, ERNAKULAM
AS NO. 1187/RA.

EXT.P2: TRUE COPY OF CERTIFICATE OF REGISTRATION OF HIDAYATHUL ISLAM
MADRASSA PARIPALANA SANGHAM UNDER THE SOCIETIES REGISTRATION
ACT AS S.NO. 448/2008.

EXT.P3: THE PHOTOCOPY OF THE PROCEEDINGS NO. B3-3313/2014
DATED 18/10/2014 OF TAHSILDAR, KOZHIKODE.

EXT.P4: TRUE COPY OF THE CERTIFICATE NO. C2-1187/RA DATED 16/03/2007.

EXT.P5: TRUE COPY OF THE PROCEEDINGS NO. A1-1187/RA DATED 24/02/2014
ISSUED BY THE JUNIOR SUPERINTENDENT, KERALA STATE WAKF BOARD.

EXT.P6: TRUE COPY OF OWNERSHIP CERTIFICATE NO. B4-3271/2014 STATING THAT
BUILDING NO. OP.8/48 IS OWNED BY THE SECRETARY TO THE MADRASSA
ISSUED BY THE GRAMA PANCHAYATH, OLAVANNA.

EXT.P7: TRUE COPY OF TAX RECEIPT AS PER BOOK NO. 00554 RECEIPT NO. 0055328
DATED 18/10/2014 OF OLAVANNA VILLAGE OFFICER.

EXT.P8: THE PHOTOCOPY OF THE LETTER DATED 21/04/2014 TO THE
1ST RESPONDENT.

EXT.P9: THE PHOTOCOPY OF THE LETTER DATED 21/04/2014 TO THE
2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.2886 of 2015

Dated this the 29th day of January, 2015

JUDGMENT

The petitioners have approached this Court with the following prayers:

*"i) to issue a writ of mandamus or other appropriate writ or order directing the respondents 1 and 2 to pass orders on Exts.P8 and P9 petitions immediately;
ii) to grant such other reliefs as this Honourable Court may deem fit and proper in the interest of justice."*

2. The learned counsel for the petitioners points out that, the grievance of the petitioners as put forth in the writ petition has also been highlighted before the 1st respondent by way of Ext.P8 and that the petitioner will be satisfied, if a direction to be given to the 1st respondent to have it considered and disposed of within a reasonable time.

3. Heard the learned Standing Counsel appearing for the respondents as well.

4. After hearing both the sides, the writ petition is disposed of, directing the 1st respondent to pass appropriate orders on Ext.P8 preferred by the petitioners, after affording an opportunity

of hearing to the petitioners and other interested parties, if any, at the earliest, at any rate, within 'three months' from the date of receipt of a copy of this judgment.

Petitioners shall produce a copy of this judgment, along with a copy of the writ petition, before the 1st respondent, for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE**

sp