

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.6607 of 2014

1.R.V.Perumal
2.T.Tamilarasi
3.S.Vaiyapuri
4.N.Natarajan

...Petitioners

/vs/

1.The District Collector,
Salem District,
Salem.

2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance a Writ of Mandamus directing the respondents to consider the representation of the petitioners dated 22.07.2013 in accordance with law.

For Petitioners : Mr.Rajinikanth

For Respondents : M/s P.Rajalakshmi
Government Advocate for R1
Mr.V.Lakshminarayanan for R2

ORDER

Seeking a direction to the respondents to consider the representation dated 22.07.2013, the petitioners have come forward to file the present writ petition.

2.It is the case of the petitioners that they are in possession and enjoyment of the suit property bearing S.No.321/1, measuring about 10.58 acres, situated at Avani Perur, Keelmugam Village, Edapadi Taluk, Salem District, for more than 60 years. Therefore, the petitioners have made a representation to the Wakf Board seeking to sell the property to the petitioners and not to anyone else.

3.When the matter is taken up for hearing, the learned counsel appearing for the second respondent/Wakf Board submitted that as per the Section 51(1) of the Wakf Act, 1995, the Wakf Board does not have the power of alienation.

4.In view of the same, the writ petition stands disposed of by recording the fact that the Wakf Board cannot make any sale to any other third party including the petitioners. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Salem District,
Salem.

2.The Chief Executive Officer,
Tamil Nadu Wakf Board, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

1 CC to Mr.V. Raghavachari, Advocate SR.No. 42284

NM (CO)
PSI (26.08.2015)

W.P.No.6607 of 2014