

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.01.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.1041 of 2015 and
M.P.No.1 of 2015

S.M.Mohammed Yusuf

...Petitioner

Versus

1.Tamil Nadu Wakf Board,
Rep. by Chief Executive Officer,
No.1, Jaffersyrang Street,
Valla Seethakathi Nagar,
Chennai -1.

2.A.M.Rafiuddin

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus, directing the first respondent to assume management to the Mohideen Andavar Mosque bearing G.S.No.206/TNJ, Kodikalpalayam, Thiruvavarur Taluk and District so as to protect and safeguard the wakf properties and its management.

For Petitioner : Mr.N.A.Nissar Ahmed

For R 1 : Mr.Mohammed Fiaz Ali

O R D E R

Heard Mr.N.A.Nissar Ahmed, learned counsel for the petitioner and Mr.Mohammed Fiaz Ali, learned counsel appearing for the first respondent and with their consent, the writ petition is taken for disposal at the admission stage.

2. Since the writ petition is being disposed of at the admission stage without notice to the second respondent, the merits of the allegations made by the petitioner as against the second respondent are not gone into and they are left open.

3. The learned counsel for the first respondent submitted that the relief sought for by the petitioner by way of representation cannot be considered since the statute viz., Tamil Nadu Wakf Act contemplates a procedure to vindicate such grievance and in this regard, attention of this Court has been invited to Sections 70 and 71 of the Wakf Act.

relief sought for, it is left open to the petitioner to approach the first respondent to file appropriate application under Section 70 of the Act, which shall be dealt with in accordance with law.

5.The writ petition stands dismissed with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

svki

To

The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffersyrang Street,
Valla Seethakathi Nagar,
Chennai -1.

+1cc to M/s.N.A.Nissar Ahmed, Advocate Sr 2417

UG(CO)
km/29.1.

W.P.No.1041 of 2015

सत्यमेव जयते

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