

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 05.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.15985 of 2015

Syed Azmathullah Khaderi

... Petitioner

Versus

- 1.The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Serang Street,
Seethakkathi Nagar,
Chennai.
- 2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Serang Street,
Seethakkathi Nagar,
Chennai.
- 3.The Secretary,
M/s.Ameerun-Nisa Begum
Sahiba's Endowments,
New No.165, Old NO.76 Bharati Salai,
Chennai - 600 005.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of Mandamus directing the second respondent to consider the representation dated 28.03.2015 of the petitioner and pass orders in accordance with law.

For Petitioner : Ms.C.Uma

For Respondents : Mr.V.Lakshminarayanan

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner claims that the land comprised in O.S.No.329, R.S.No.201 bearing old NO.18, New No.47, situated at Lathuram Street, Chennai - 600 002 belongs to M/s.Ameerun-Nisa Begum

Sahiba's Endowments and the above land was leased out to the grand parent of the petitioner on a monthly rental basis and the superstructure was put up by them with the approval of the Endowments and after the life time of the grand parents, the said right was conferred on the father of the petitioner and after the life time of the father of the petitioner, the said lease hold right has been conferred upon the petitioner and the same is acknowledged by the Endowment.

3.The petitioner on account of his old age and personal problem, decided to dispose of the superstructure and submitted a representation dated 28.03.2015 to the second respondent praying for permission to sell the same and since, he has not favoured with any response from the respondents, the petitioner is constrained to approach this Court by filing this writ petition seeking appropriate direction to the second respondent.

4.Heard the submissions of Ms.C.Uma, learned counsel appearing for the petitioner and Mr.V.Lakshminarayanan, learned counsel for the respondents.

5.Taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the representation dated 28.03.2015 filed by the petitioner, this Court, directs the second respondent to dispose of the representation of the petitioner dated 28.03.2015 filed by the petitioner, after putting on notice the third respondent, on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and inform the decision taken, to the petitioner as well as the third respondent.

6.The writ petition is disposed of, accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jbm

To

1.The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Serang Street,
Seethakkathi Nagar,
Chennai.

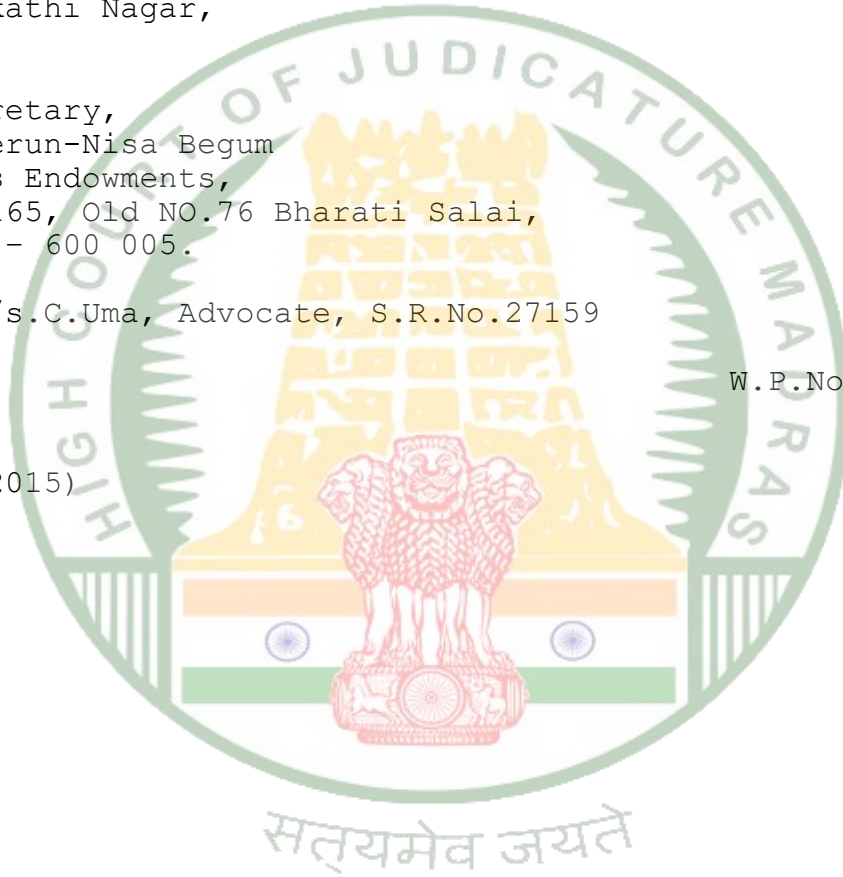
2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Serang Street,
Seethakkathi Nagar,
Chennai.

3.The Secretary,
M/s.Ameerun-Nisa Begum
Sahiba's Endowments,
New No.165, Old NO.76 Bharati Salai,
Chennai - 600 005.

+lcc to M/s.C.Uma, Advocate, S.R.No.27159

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TS (CO)
CA(12/06/2015)



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