

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.16653 of 2015

And

M.P.No.1 of 2015

Hazarath Syed Shah Vajjiuddin Avulya,  
Mosque and Dharga,  
Rep by its Trustee/  
Muthavalli Syed Mynuddin

...Petitioner

Vs.

1. The District Collector,  
Collector Complex,  
Santhuvachari,  
Vellore.
2. The District Supply Officer,  
Collector Complex,  
Santhuvachari,  
Vellore.
3. The Taluk Supply Officer,  
Gudiyatham Taluk Office,  
Gudiyatham
4. The Civil Supply Officer,  
Tiruppatur,  
Vellore.

...Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to remove petitioner's Mosque from Government subsidiary rice scheme for ensuing 'Ramzan Festival' and to stop any further disbursement of subsidiary rice in the name of petitioner's Mosque.

For Petitioner : Mr.R.Murali  
For Respondents : Mr.S.Pattabiraman  
Government Advocate

O R D E R

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

2.The petitioner would claim that about 450 years ago Hazarath Syed Shah Vajuddin Razwi Sir Hindi founded the Mosque and also helping poor and needy persons of the locality and after his demise, his legal heirs continued to manage the Mosque and the service. Land measuring to an extent of 17.88 acres was also gifted to the Mosque to carry on the noble activities. It is the specific case of the petitioner that it is a private Wakf/ Endowment and therefore, it is not coming under the control of the Tamil Nadu Wakf Board.

3.The petitioner would further state that during the holy month of Ramzan, the Government of Tamil Nadu is supplying rice to the Mosque for the preparation of rice gruel to be served on the Muslims who undertook fast and in the year 2011, rice was provided. The petitioner would state that since the Scheme has been mis-utilized by dissented elements solely with the object of bringing dis-repute to the functions of the Mosque and therefore a representation was submitted on 20.07.2013 to discontinue the said practice which was also followed by a legal notice dated 30.05.2015 and since no response is forthcoming, the petitioner came forward to file this writ petition.

4.Learned counsel appearing for the petitioner would submit that Ramzan is going to commence on 18.06.2015 and therefore appropriate orders may be passed on the representation as well as the legal notice.

5.This Court heard the submissions of Mr.R.Murali, learned counsel appearing for the petitioner and Mr.S.Pattabiraman, learned Government Advocate who accepts notice on behalf of the respondents.

6.Though the petitioner prayed for a larger relief, this Court without going into the merits of the claim projected by the petitioner, directs the first respondent to consider and dispose of the petitioner's representation dated 20.07.2013 as well as the legal notice dated 30.05.2015 in accordance with law after putting on notice the persons concerned and pass orders as expeditiously as possible, on or before 24.06.2015 and communicate the decision taken,

to the petitioner.

7.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-  
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

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3. The Taluk Supply Officer,  
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Gudiyatham
4. The Civil Supply Officer,  
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Vellore.

1 CC to Mr.R.Murali, Advocate SR.No. 28596

W.P.No.16653 of 2015  
And  
M.P.No.1 of 2015

SAI (CO)  
PSI (15.06.2015)

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