

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 2-7-2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.18774 of 2015

J. Samiullah

...Petitioner

Vs.

1. Tamil Nadu Wakf Board,
rep.by its Chief Executive Officer,
Seethakathi Nagar,
Chennai - 600 001.
2. The District Collector,
Singaravelar Maligai,
Rajaji Salai, Chennai.
3. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai - 3.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to consider the petitioner's representation dated 29.5.2015 seeking to protect the Muslim burial ground at Pulianthope, Chennai, from any encroachment affecting the rights of Muslims and pass orders within a time frame fixed by this Court, after affording opportunity of hearing to the petitioner.

For petitioner : Mr.C.K.Chandrasekhar

For 1st Respondent : Mr. V.Lakshminarayanan

For 2nd Respondent : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

For 3rd Respondent : Mrs.Karthika Ashok

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Considering the limited relief sought for in this writ petition, the matter is taken up for final disposal at the admission stage itself.

2. The writ petitioner seeks a direction to the first respondent to consider the representation of the petitioner dated 29.5.2015 seeking to protect the Muslim burial ground at Pulianthope, Chennai, from any encroachment, affecting the rights of Muslims and pass orders within a time frame fixed by this Court, after affording opportunity of hearing to the petitioner.

3. Mr.V.Lakshminarayanan, learned counsel appearing for the first respondent submits that the Chief Executive Officer has already taken steps for inspection and for taking further decision in respect of the representation made by the petitioner.

4. In view of the foregoing, without expressing any opinion on the merits of the case, first respondent is directed to examine the representation of the petitioner and take appropriate decision on its own merit and in accordance with law. The writ petition is accordingly disposed of with the above direction.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

vr

To

1. The Chief Executive Officer,
Tamil Nadu Wakf Board,
Seethakathi Nagar,
Chennai - 600 001.

2. The District Collector,
Singaravelar Maligai,
Rajaji Salai, Chennai.

3. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai - 3.

1 CC to Mr.V.Raghavachari, Advocate SR.No. 32759

1 CC to Mrs.Karthika Ashok, Advocate SR.No. 32737

1 CC to Mr.C.K.Chandrasekhar, Advocate SR.No. 32714

1 CC to Government Pleader, SR 33323

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KK (CO)
PSI (10.07.2015)



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