

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.33043 of 2015

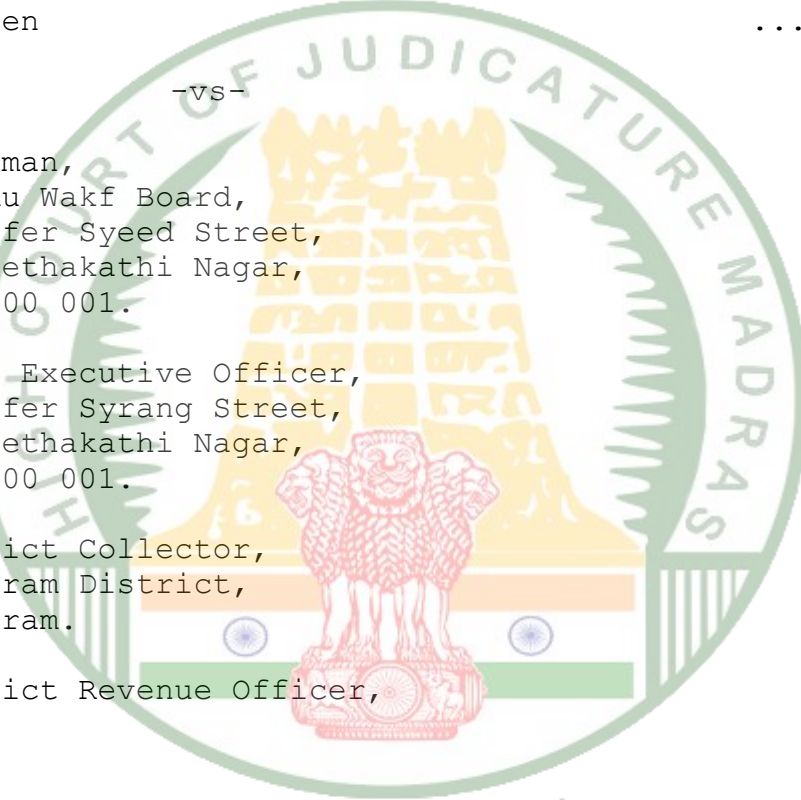
S.M.Shamsudeen

... Petitioner

-vs-

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Syeed Street,
Vallal Seethakathi Nagar,
Chennai-600 001.
2. The Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-600 001.
3. The District Collector,
Kancheepuram District,
Kancheepuram.
4. The District Revenue Officer,
Tambaram,
Chennai.
5. The President,
Sembakkam Panchayath,
Sembakkam, Tambaram,
Chennai.
6. The President,
Masjid Al Haramaine,
Tamil Nadu Wakf Board
Employees Colony Mosque,
Rajakilipakkam,
Selaiyur, Chennai-73.

... Respondents



WEB COPY

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to consider the representation of the petitioner, dated 15.07.2015 and prevent opening of any burial ground in the land allotted for public purpose in S.No.39/1, Rajakilipakkam village, Masjid Al Haramaine Tamil Nadu Wakf Board Employees Colony mosque situated at Valla Syed Yusuff Nagar, Selaiyur, Chennai-73.

For Petitioner : Mr.R.Munuswamy

For Respondents : Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.R.Kamalanathan, Addl. GP
Mr.V.Shanmugasundar
Government Advocate for R3 to R5

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The grievance of the petitioner is that he owns the plot on leasehold basis on perpetuity and a layout was carved out on the land measuring 12.90 acres in S.No.39/1 of Rajakilipakkam village, Sembakkam Panchayat locating in Tambaram Municipality limits. The plot is stated to have been given by the Tamil Nadu Wakf Board and the area opposite to his plot was ear-marked for public purpose. The allegation is that now that land is sought to be allotted for grave yard, which is in the midst of the colony.

2. The petitioner has made a representation on 15.07.2015, which remained unaddressed.

3. On hearing the submissions of the learned counsel for the petitioner, we direct that the District Revenue Officer, Tambaram, Chennai/4th respondent should dispose of the representation of the petitioner within a maximum period of one month from the receipt of the order. The decision should be a speaking order, after hearing all concerned. Till such time, status quo on the use of the land should be maintained.

4. The writ petition, accordingly, stands disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

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Sub Assistant Registrar

To

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Syeed Street,
Vallal Seethakathi Nagar,
Chennai-600 001.
2. The Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
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3. The District Collector,
Kancheepuram District,
Kancheepuram.
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Tambaram, Chennai.
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Chennai.
6. The President,
Masjid Al Haramaine,
Tamil Nadu Wakf Board
Employees Colony Mosque,
Rajakilipakkam,
Selaiyur, Chennai-73.

+lcc to Mr.R.Munuswamy, Advocate, S.R.No.57010
+lcc to the Government Pleader, S.R.No.57775

W.P.No.33043 of 2015

CTK(CO)
CA(30/10/2015)