

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:02.11.2015

CORAM

THE HON'BLE MR.JUSTICE T. S. SIVAGNANAM

W.P.Nos.33094 to 33096 of 2015

A.K.Shabeena Bi .. Petitioner in W.P.No.33094/15  
B.Syed Aatham .. Petitioner in W.P.No.33095/15  
A.Ibrahim .. Petitioner in W.P.No.33096/15

Vs

- 1 The Assistant Engineer  
Tamil Nadu Electricity Board (I & M)  
Mangadu Division Se. Mi. Pa Taluk (South)/  
TNEB Mangadu Chennai 112
- 2 The Tamil Nadu Electricity  
Board Rep by its Chairman Anna Salai  
Chennai
- 3 The Tamil Nadu Wakf Board  
Rep by The Chief Executive Officer No.1  
Jaffer Syrang Street Vallal Seethakathi  
Nagar Chennai 1
- 4 The Secretary  
Hazrath Syed Sadiq Nagar Jumma Mosque No.1  
T.A.Mohammed Sultan Main Road Syed Sadiq  
Nagar Mangadu Chennai 122

... Respondents 1 to 4 all WPs

These Writ Petitions filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the 1st respondent to grant power connection to the petitioners' property at Nos.553, 428 and 478 Syed Sadiq Nagar Mangadu Chennai 122 respectively without insisting upon NOC by the Wakf Board.

For Petitioners : Mr.A.Nissar Ahmed

For R1 to R3 : Mr.P.Gunaraj

For R4

: Mr.V.Raghavachari

COMMON ORDER

Petitioners seek for a positive direction to first respondent to grant power connection in respect of the properties in question without insisting on No Objection Certificate from the Tamil Nadu Wakf Board.

2. According to the petitioners, the 4<sup>th</sup> respondent/mosque has granted No Objection Certificate on 14.9.2015. Based on the said No Objection Certificate, the petitioner now wants Electricity Connection. It is not known as to how the petitioner came into possession of the property.

3. The learned counsel appearing for the Wakf Board submits that there are several proceedings pending as regards the take over of the Wakf by the Wakf Board and bringing it under the direct management of the Wakf Board.

4. Therefore, it is doubtful as to whether the secretary of the 4<sup>th</sup> respondent, who has given the No Objection Certificate is competent to issue the same. Further more, there is no record to show as to when the petitioners came in possession because all the three documents produced by the petitioners in the typed set are of recent origin, namely 14.9.2015. Therefore, this Court cannot grant the relief sought for by the petitioner in these writ petitions.

5. Accordingly, these writ petitions are dismissed. However, this will not prevent the petitioners from approaching any other forum in the manner known to law. No costs.

Sd/-

Asst.Registrar (CO)

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Sub Asst. Registrar

Kua

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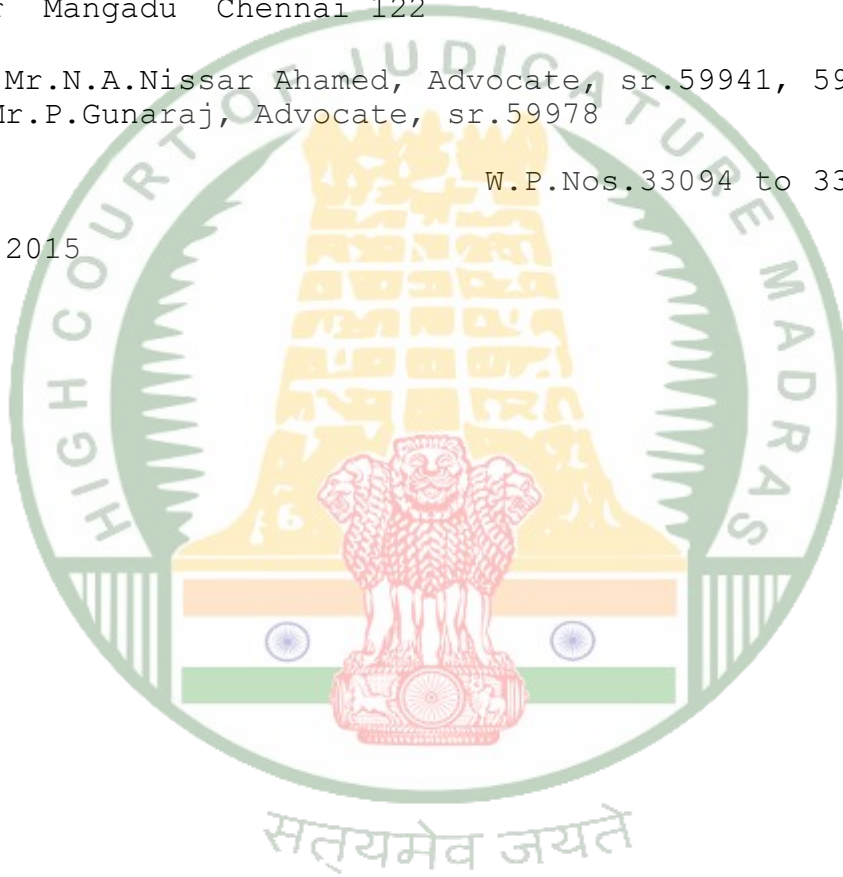
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+3 ccs to Mr.N.A.Nissar Ahamed, Advocate, sr.59941, 59943, 59944  
+1 cc to Mr.P.Gunaraj, Advocate, sr.59978

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kra 24.11.2015



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