

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.No.4214 of 2015

&

M.P.Nos.1 and 2 of 2015

R.Ameer Basha,
President, Sunnath Jamath Jumma
Mosque @ Sheik Khairullah Mosque,
No.297, Gandhi Road,
Chinna Kanchipuram - 631 501.

.. Petitioner

Versus

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Sherang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The Chief Executive Officer/
The District Revenue Officer,
No.1, Jaffer Sherang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

3. The Superintendent of Wakfs,
Big Mosque Compound,
Poonamallee,
Chennai - 600 056.

4. The Inspector of Wakfs,
Big Mosque Compound,
Poonamallee,
Chennai - 600 056.

.. Respondents

* * *

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the second respondent's Notice dated 18.08.2014 vide Na.Ka.No.12532/12/Aa4/Kanchi and quash the same and consequently direct the first and second respondents to conduct fresh enquiry into the allegations against then office bearers of the Sunnath Jamath Jumma Mosque @ Sheik Khairullah Mosque No.297, Gandhi

Road, Chinna Kanchipuram-631 501, after affording sufficient opportunity to the then office bearers of the Mosque Wakf.

* * *

For Petitioner : Mr.R.Abdul Mubeen

For Respondents: Mr.V.Lakshmi Narayanan,
Standing Counsel

O R D E R

Heard Mr.R.Abdul Mubeen, learned counsel appearing for the petitioner and Mr.V.Lakshmi Narayanan, learned Standing Counsel appearing for the respondent.

2. The petitioner has filed this writ petition to quash the notice of enquiry dated 18.08.2.014 and to direct the respondents 1 and 2 to conduct fresh enquiry into the allegations.

3. During the pendency of this writ petition, the petitioner has filed an appeal before the Government on 27.02.2015. According to the petitioner, the entire proceedings is vitiated on account of serious procedural infirmities.

4. In the light of the fact that the petitioner's has approached the Government by way of appeal, as provided under the provisions of the Wakf Act, it is for the petitioner to pursue the appeal before the Government. Accordingly, this writ petition is disposed of leaving it open to the petitioner to pursue the appeal filed before the Government on 27.02.2015. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

Dated:13.3.15

True Copy

Sub Assistant Registrar

To

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Sherang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The Chief Executive Officer/
The District Revenue Officer,
No.1, Jaffer Sherang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

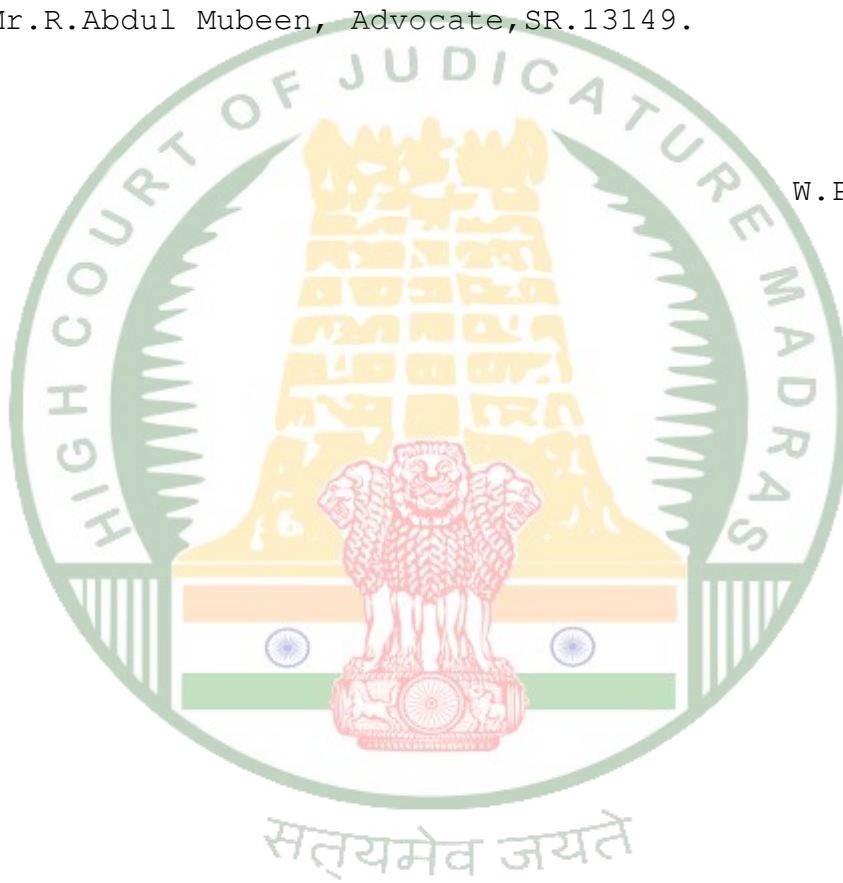
3. The Superintendent of Wakfs,
Big Mosque Compound,
Poonamallee,
Chennai - 600 056.

4. The Inspector of Wakfs,
Big Mosque Compound,
Poonamallee,
Chennai - 600 056.

+1 cc to Mr.R.Abdul Mubeen, Advocate,SR.13149.

lrs(co)
krd 16/3

ORDER IN
W.P.NO.4214 OF 2015



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