

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 09-03-2015

CORAM:

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.No.6411 of 2015

and

M.P.Nos.1 and 2 of 2015

- 1 M.Mohammed Kasim
No.7/8036 E.S.P.Nagar Panruti
Cuddalore District Petitioner
- Vs
- 1 The Tamil Nadu Wakf Board
Rep by its Chief Executive Officer
No.1 Jaffer Sarang Street
Vallal Seethakathi Nagar Chennai 1
- 2 Hazrath Noor Mohammed
Shah Avulia Darga Wakf Rep by its President
No.512 Gandhi Road Panruti 607 106
Cuddalore District
- 3 M.S.Tajudeen
President Managing Committee Hazrath Noor
Mohammed Shah Avulia Darga Wakf No.512
Gandhi Road Panruti 607 106
Cuddalore District ...Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to appoint a committee for the proper administration of the 2nd respondent Wakf

For petitioner :: Mr. A. Ajimath Begam

For respondents :: Mr. V. Lakshmi Narayanan for R1
No appearance for RR2 and 3

ORDER

Heard the learned counsel for the petitioner and Mr. V. Lakshmi Narayanan, learned Standing Counsel for the first respondent. With consent, the main writ petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/>

2. The petitioner seeks for a direction to the respondent to take appropriate administration of the second respondent-Wakf.

According to the petitioner, the second respondent-Wakf has to be managed by an appropriate Committee and the third respondent was the President of the Managing Committee and his term of office is over and till date, the Committee has not been appointed to administer the affairs of the Wakf. In this regard, a representation has been made before the respondent Nos.1 and 2 on 02-03-2015 and the said representation is still pending, against which, the petitioner is before this Court.

3. Admittedly, the petitioner does not seek for appointing himself as a Trustee or Member of the Managing Committee. But, wants the first respondent to appoint a Managing Committee in accordance with the Scheme Degree. If that is the case, the petitioner has to file an application before the Wakf Board under the Wakf Act, and if an application is filed in accordance with law, the Wakf Board, after notice to all the parties concerned, shall consider and dispose of the same, at the earliest possible.

4. The writ petition is disposed of, with the above observations. No costs. The connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

glp

To

The Chief Executive Officer
Tamil Nadu Wakf Board
No.1 Jaffer Sarang Street
Vallal Seethakathi Nagar Chennai 1

1 cc to M/s.V. Raghavacari, Advocate, sr. 12984
1 cc to M/s.A.Ajimath Begam, Advocate, sr. 13006

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