

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6997 of 2015

Mohamed Sheik Dawood

..Petitioner

Versus

1. Tamil Nadu Wakf Board
Rep. by Chief Executive Officer,
No.1, Jafar Syrom Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
2. Masjid-Al-Haromine Wakf Board
Employees' Colony Mosque,
Rep. by its President,
Vallal Yusuf Nagar, Rajakilpakkam,
Selaiyur, Chennai - 600 073.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the 1st respondent to consider the petitioner's representation dated 02.07.2009 following further representations dated 30.03.2010, 17.09.2010 and 01.03.2011 and to pass order by providing an opportunity of being heard on the principle of natural justice to the petitioner.

For Petitioner : Mr.H.Nazirudeen

For Respondents: Mr.V.Lakshmi Narayanan

ORDER

Heard Mr.H.Nazirudeen, learned counsel appearing for the petitioner and Mr.V.Lakshmi Narayanan, learned counsel accepting notice for the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2. The petitioner is before this court to consider his representation dated 02.07.2009. According to the petitioner, he was an erstwhile employee of the 1st respondent/Tamil Nadu Wakf Board and was allotted a house plot. Subsequently, the allotment has been cancelled without notice to the petitioner. The petitioner would state that allotment was cancelled without conducting any enquiry and without affording any opportunity to the petitioner. In this regard, several representations were made by the petitioner and ultimately, the Chief Executive Officer of the Tamil Nadu Wakf Board vide proceedings dated 07.02.2012, directed the petitioner to produce the copies of the Lease Deed, copy of the Resolution passed by the Wakf

Board, so as to enable the Wakf Board to consider the petitioner's grievance. According to the petitioner, he has furnished all the documents along with his representation dated 09.01.2014. However, on a perusal of the representation, it is seen that there is no specific mention that the documents sought for, were enclosed. In any event, the petitioner has given representation dated 09.01.2014 and his grievance is that without enquiry, the order of cancellation was passed.

3. In the light of the above, there will be a direction to the 1st respondent to consider the petitioner's representation dated 09.01.2014, conduct an enquiry into the matter, afford an opportunity of personal hearing of the petitioner and take note of the documents which the petitioner produced and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

4. The writ petition is disposed of with the above direction. No costs.

AP

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. Tamil Nadu Wakf Board
Rep. by Chief Executive Officer,
No.1, Jafar Syrong Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

+2 C.C. To MR.H.Nazirudeen, Advocate, Sr.No.14243

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SAI (CO)
sd 23/03/2015