

In the High Court of Judicature at Madras

Dated: 09.06.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 19193 of 2010
and M.P. No.1 of 2010

S. Kaleel Rahman .. Petitioner

vs.

1. The Chennai Metropolitan Development Authority, rep. by its Member Secretary
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008.
2. The District Collector
Tiruvallur District.
3. The Revenue Divisional Officer
Ponneri, Tiruvallur District.
4. The President
Vanagaram Panchayat
Vanagaram, Chennai.
5. The Inspector of Police (L&O)
Maduravoyal Police Station
Maduravoyal, Chennai 602102.
6. The Tamil Nadu Wakf Board
rep. by its Chief Executive Officer
No.1, Jafar Sirang Road
Seethakadhi Nagar, Chennai - 1.
7. Mr. Shankar
8. XS Real Properties Private Limited
rep. by its Director
No.12, South Mada Street
Srinagar Colony, Saidapet
Chennai 600 015.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus to direct the first respondent to initiate suitable steps immediately to stop the illegal constructions doing by the eighth respondent in Wakf land at Survey No.187, Vanaagaram Village, Ambatur Taluk of Tiruvalur District and also to demolish all the unauthorized constructions carried out in the Wakf land at Survey No.187, Vanaagaram Village Ambatur Taluk of Thiruvalur District.

For Petitioner : Mr. K. Shahul Hameed

For Respondents : Mr. V.R. Kamalanathan
Addl. Government Pleader for R2 to R5
Mr. N. Sampath for R1
Mr. S. Haja Mohideen Gisthi for R6
Mr. K. Balamurali
for M/s. Shivakumar & Suresh for R8

O R D E R

(Made by The Hon'ble The Chief Justice)

The public interest litigation in the present proceedings is misconceived, as it is a collateral attempt to challenge the title of the seventh and eighth respondents, even though the seventh respondent had succeeded in the Honourable Supreme Court in establishing that there was no Masjid existing. The Wakf Board is not claiming the land and has refused to interfere in the dispute. In such a situation, the petitioner cannot claim right under the guise of this petition.

2. The writ petition accordingly stands dismissed. No costs. Consequently, M.P. No.1 of 2010 is also dismissed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

ATR

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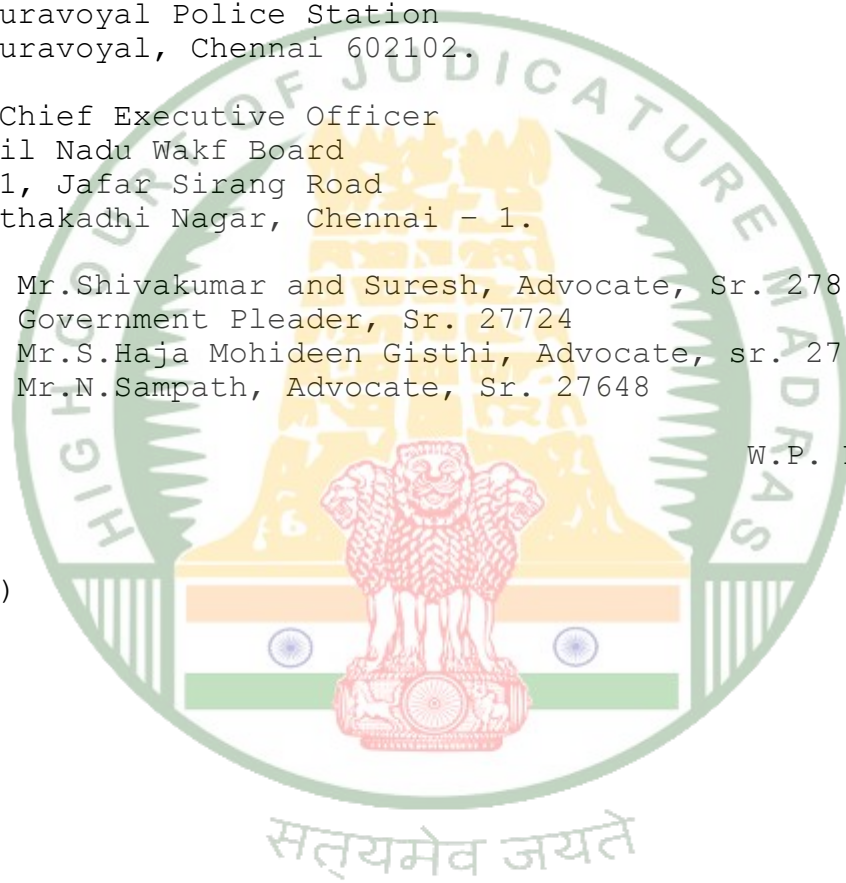
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1 cc to Mr.Shivakumar and Suresh, Advocate, Sr. 27831
1 cc to Government Pleader, Sr. 27724
1 cc to Mr.S.Haja Mohideen Gisthi, Advocate, sr. 27616
1 cc to Mr.N.Sampath, Advocate, Sr. 27648

W.P. No. 19193 of 2010

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