

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P. No.12244 of 2016

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S. Ibrahim

.. Petitioner

Versus

The Tamil Nadu Wakf Board
rep. by Chief Executive Officer
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai - 600 001

.. Respondent

Petition filed under Article 226 of The Constitution of India praying for issuing a Writ of Mandamus directing the respondent to consider and pass orders on the representation of the petitioner dated 10.03.2016 seeking execution of lease deed.

For Petitioner : Mr. N.A. Nissar Ahmed
For Respondent : Mr. V. Lakshmi Narayanan

ORDER

The petitioner seeks for issuance of a Mandamus to direct the respondent to consider the representation dated 10.03.2016 submitted by him.

2. The petitioner is the Correspondent of Meera Matric School at Arampannai, Thuthukudi District, which was established in 1998 where students upto Standard X are studying. The land where the school building was constructed belonged to the respondent/Wakf Board. The petitioner is running the school by paying lease amount to the respondent. According to the petitioner, by proceedings dated 11.09.2015 of the respondent, the petitioner was informed that he is permitted to continue the lease for another period of three years and directed him to pay the agreed lease amount to the Wakf Board. Subsequently, by another proceedings dated 27.11.2015, the respondent informed the petitioner that the lease amount has been determined at Rs.10,000/- per month. The petitioner was also further informed that the lease in favour of the petitioner is subject to certain conditions which are indicated therein. Thereafter, by another proceedings dated 05.01.2016, the respondent directed the Superintendent of Wakf, Tirunelveli and Inspector of Wakf,

Thoothukudi to send the lease deed entered into with the petitioner. According to the petitioner, inspite of such direction given by the respondent, the officials above mentioned have refused to execute the lease deed in favour of the petitioner. In this connection, the petitioner has sent a representation dated 10.03.2016 to the respondent informing the refusal on the part of the officials mentioned above to execute the lease deed in his favour. According to the petitioner, inspite of such representation, the respondent has also not passed any order for execution of lease deed in his favour. Therefore, the petitioner is before this Court with this writ petition.

3. Having regard to the above facts and the nature of relief sought for by the petitioner, without expressing any opinion on merits, the respondent is directed to consider the representation dated 10.03.2016 of the petitioner for execution of lease deed in his favour and pass appropriate orders thereon on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

rsh

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

The Tamil Nadu Wakf Board
rep. by Chief Executive Officer
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai - 600 001

+ 1 cc to M/s.N.A.Nissar Ahmed, Advocates SR 25053

+ 1 cc to M/s.V.Raghavachari, Advocate SR 24866

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