

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17161 of 2016

And

W.M.P.No.14565 of 2016

The Pattur Jamia (Big) Mosque
Managing Committee, Pattur,
Mangadu, Chennai - 600 122
Rep. by its Secretary Mr.S.Gulabdeen ... Petitioner

Vs.

- 1 The District Collector
Kancheepuram District,
Kancheepuram.
- 2 The Chief Executive Officer
Tamil Nadu Wakf Board,
No.1, Jaffar Sarang Street,
Seetakathai Nagar, Chennai-600 001.
- 3 The Tahsildar
Sriperumbudur Taluk,
Sriperumbudur.
- 4 The Director,
Directorate of School Education,
DPI, Nungambakkam,
Chennai-600 034.
- 5 Parent Teacher Association (unregistered),
Pattur, Mangadu, Chennai-600 122
Rep. by its President
Mr.M.Abdul Rahman ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to dispose of the representation dated 25.04.2016 made by the Petitioner committee.

For Petitioner : Mr.Mohamed Ehiya
For Respondents : Mr.P.Sanjay Gandhi for R1,R3 & R4
Additional Government Pleader
Mr.Mohammed Fayaz Ali for R2

O R D E R

By consent the writ petition is taken up for final disposal.

2.The petitioner claims to be the Secretary of the Managing Committee of Pattur Jamia (Big) Mosque, Pattur, Mangadu, Chennai - 600 122 and would submit that the land admeasuring 50 cents in Survey No.433/1 in Pattur, Mangadu was wrongly allotted in favour of the fifth respondent and in this regard, representation has been submitted and the Wakf Board vide proceedings dated 28.08.2002, has observed that no objection certificate may be issued for the purpose of construction of additional school building in S.No.433/1 admeasuring an extent of 50 cents belonging to Wakf in favour of Education Department without alienating the property and the President of Wakf was directed to fix the rent on par with the market value of the property.

3.The grievance now expressed by the petitioner is that the above said proceedings of the second respondent dated 28.08.2002 has not been complied with and without obtaining any no objection certificate, the fifth respondent is putting construction on the said land and in this regard, had submitted a representation dated 25.04.2016 to the second respondent and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of Mr.Mohamed Ehiya, learned counsel appearing for the petitioner, Mr.P.Sanjay Gandhi, learned Additional Government Pleader who accepts notice on behalf of the respondents 1, 3 and 4 and Mr.Mohammed Fayaz Ali, learned counsel who accepts notice on behalf of the second respondent.

5.This Court taking into consideration the limited scope of the prayer sought for and without entering upon the merits of the same, directs the second respondent to consider and dispose of the petitioner's representation dated 25.04.2016, in accordance with law, after putting on notice to the fifth respondent, and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the fifth respondent.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

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s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

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Rep. by its President
Mr.M.Abdul Rahman

+ 1 cc to Mr.Mohamed Ehiya, Advocate SR 28975

+ 1 cc to Govt.Pleader SR 29223

sr(co)
prk9/6

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