

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2016

CORAM

THE HONOURABLE Mr.JUSTICE B.RAJENDRAN

WP.No.37785/2016

Alhaj K.Syed Ahaullah

..Petitioner

-Vs-

The Chief Executive Officer
The Tamilnadu Wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai-1.

..Respondent

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to consider and pass orders on the representation dated 27.09.2016 made by the petitioner seeking Mutawalliship.

For Petitioner : Mr.N.A.Nissar Ahmed
For Respondent : Mr.Mohamed Fiaz Ali

ORDER

Heard Mr.N.A.Nissar Ahmed, learned counsel for the petitioner and Mr.Mohamed Fiaz Ali, learned Standing Counsel accepting notice on behalf of the respondent.

2 The petitioner would state that the mosque situate at Denkanikottai, Hosur Taluk, Krishnagiri District, is a registered and notified Wakf and is governed by the respondent / Wakf Board and the succession of the office of the Muthavalli is hereditary in nature. The petitioner would further state that his father was a Muthavalli in the said mosque till the year 1982 and his elder brother administered the mosque till the year 2010 and thereafter, the petitioner's younger brother became Muthavalli. Subsequent to him, the petitioner became the Muthavalli and his another younger brother became joint Muthavalli. The petitioner submitted a representation on 27.09.2016 to the respondent to recognise him as Muthavalli pursuant to the recommendation made by the Wakf officials on 28.03.2016. Since the representation is yet to be considered by the respondent, the petitioner has approached this Court by filing the present writ petition.

3 Though the petitioner has prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner in his representation, directs the respondent to consider and dispose of the petitioner's representation dated 27.09.2016 on merits and in accordance

with law, and pass orders as expeditiously as possible, and communicate the decision taken to the petitioner.

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

01.11.2016

AP

To

The Chief Executive Officer
The Tamilnadu Wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai-1.

B.RAJENDRAN.,J
AP

W.P.No.37785 of 2016

01.11.2016

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