

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.41528 of 2016

A.Kaleel Rahaman

.. Petitioner

Vs.

1.The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Mannady,
Chennai-600 001.

2.The Executive Officer,
Mohideen Mosque Inam Waqf,
G.S.No.248/MDU,
G.Thummalapatty Post-624 202,
Batlagundu Via,
Dindugal District.

.. Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 1st respondent to dispose of the representation dated 10.03.2016.

For Petitioner : M/s.A.Ajimath Begam

For R1 : Mrs.Abitha Babu

ORDER

Heard the learned counsel for the petitioner and Mrs.Abitha Banu, learned counsel who accepts notice on behalf of the 1st respondent and with the consent on either side, the writ petition is taken up for final disposal.

2 It is the grievance of the petitioner that the Wakf property has been encroached by the legal heir of the alleged original hereditary Muthavalli and they are doing agricultural operation on their own and had also put up illegal construction and carrying on the business. The 1st respondent has also sent notice to the encroachers to hand over the wakf property ; but they did not do so. It is also the grievance of the petitioner that the accounts of the Mohideen Mosque Inam was not maintained properly and that the contribution by the said Inam towards the Tamil Nadu Wakf Board was also not done periodically and that though the property is dedicated to the Mosque, no income has been given out of it to the maintenance of the Mosque. The petitioner,

in this regard, had sent a representation to the 1st respondent dated 10.03.2016, expressing the grievances including the above and till date, the same has not been disposed of. Hence, the petitioner has come before this Court by filing the present writ petition.

3 Considering the limited scope of prayer sought for by the petitioner, this Court, without going into the merits of the claim projected by the petitioner either in this writ petition or in his representation dated 10.03.2016 directs the 1st respondent to consider and dispose of the petitioner's representation dated 10.03.2016 on merits and in accordance with law, after issuing notice to the 2nd respondent herein and pass orders within a period of three months from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the 2nd respondent herein.

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

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

- 1.The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Mannady,
Chennai-600 001.
- 2.The Executive Officer,
Mohideen Mosque Inam Waqf,
G.S.No.248/MDU,
G.Thummalapatty Post-624 202,
Batlagundu Via,
Dindugal District.

+1 cc to M/s.A.Ajimath Begam,advocate,sr.69010.

krd 26/12

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