



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:26.07.2016
CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

Writ Petition (MD). No.10052 of 2016

A.Noormohammed

... Petitioner

Vs.

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Jaffer Syrang Street,
Vallalseethakathi Nagar, Chennai.

2.The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Opposite to Madurai Railway Junction,
Madurai.

3.The District Collector,
Madurai District,
Madurai.

... Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the Respondents 1 and 2 to pass orders under Section 48 & 49 of Wakf Act, 1995, by considering the application preferred by the petitioner dated 19.03.2015 within the period that may be stipulated by this Honourable Court.

For Petitioner :Mr.M.Mahaboob Athiff

For Respondents :Mr.K.K.Senthil for RR-1 & 2
Mr.J.Gunaseelan Muthiah
Govt. Advocate for R-3

O R D E R

Heard both sides.

2. By consent, the main writ petition itself is taken up for final disposal.

3. No counter is filed on behalf of the respondents 1 to 3.

4. According to the petitioner, his representation dated 19.03.2015 was addressed to the first respondent/Chief Executive Officer, Tamil Nadu Wakf Board, Chennai, whereby and whereunder, a request was made to take necessary action against the erstwhile Pallivasal office bearers, based on audit report in Na.Ka.No.81/A2/2014, dated 19.02.2014. It appears that the said representation is pending.

5. In view of the fact that the petitioner's representation addressed to the first respondent/Chief Executive Officer, Tamil Nadu Wakf Board, Chennai is now pending, without any disposal, till this date, at this stage, this Court, without expressing



any opinion on the merits and contents of the representation of the petitioner, dated 19.03.2015, in the interest of Justice and Fair Play, directs the first respondent/Chief Executive Officer, Tamil Nadu Wakf Board, Chennai, to dispose of the said representation of the petitioner, dated 19.03.2015, as soon the said Board is constituted, as per Section 14 of the Wakf Act, 1995 and in any event, not later than 8 weeks, after the constitution of the said Board, by passing a reasoned, speaking order on merits (of-course by providing necessary opportunity to the petitioner and others concerned, by following the principles of Natural Justice). The petitioner is also required to lend his assistance and unstinted co-operation to the first respondent/Chief Executive Officer, Tamil Nadu Wakf Board, Chennai so as to enable him to dispose of his representation, dated 19.03.2015.

6. With the aforesaid observation(s) and direction(s), the writ petition stands disposed of. No costs.

Sd/

Assistant Registrar(CS-I)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Jaffer Syrang Street,
Vallalseethakathi Nagar, Chennai.

2.The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Opposite to Madurai Railway Junction,
Madurai.

3.The District Collector,
Madurai District,
Madurai.

+1cc to M/S.K.K.Senthil, Advocate in SR.No.39666
+1cc to Special Government Pleader in SR.No.39731

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26.07.2016

vs

PA/GSV-PM/03.08.2016/2P/6C