



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2016

CORAM:

THE HONOURABLE Mr.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.1448 of 2016

Janab K.V.P.M.Zafarullah

... Petitioner

Vs.

1.The Chief Executive Officer,
Wakf Board of Tamil Nadu,
No.1, Jafar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 1.

2.The District Collector,
Pudukkottai District, Pudukkottai.

3.The Revenue Divisional Officer,
Pudukkottai District, Pudukkottai.

4.The Superintendent of Police,
Pudukkottai District, Pudukkottai.

5.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District, Pudukkottai.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to take appropriate action under Section 68 of the Wakf (Amendment) Act, 2013 by considering the petitioner's representation dated 11.01.2016 and thereby hand over the possession and records of the Wakf namely, Khadir Ibrahim Aulia Alim Dhargha to the petitioner within a time frame as fixed by this Court.

For Petitioner : Mr.S.Sukumar

For Respondents : Mr.K.K.Senthil for R1

Mr.D.Muruganandham, AGP for R2 to 5

O R D E R

Mr.K.K.Senthil, learned counsel takes notice for the 1st respondent and Mr.D.Muruganantham, learned Additional Government Pleader takes notice for the respondents 2 to 5.

2.This Writ petition is filed seeking for a mandamus, directing the respondents 2 and 3 to take appropriate action under Section 68 of the Wakf (Amendment) Act, 2013 by considering the his representation dated 11.01.2016 and thereby hand over the possession and records of the Wakf namely, Khadir Ibrahim Aulia Alim Dhargha to him.

3.The case of the petitioner is that the petitioner and his brother by name K.V.P.M.Abdullah were appointed as Muthavalli of the said Wakf for the period of 3 years commencing from 12.11.2015 and even though such



appointment was approved by the Wakf Board through proceedings dated 31.12.2015, the administration of the Wakf is yet to be handed over to the petitioner. Therefore, the petitioner made a request under Section 68 of the Wakf Act, to take action for providing administration of the said Wakf. Therefore, it is for the 3rd respondent to consider the said representation of the petitioner and pass appropriate orders.

4. Accordingly, this Writ petition is disposed of with a direction to the 3rd respondent to consider the representation of the petitioner dated 11.01.2016 and pass orders on the same on merits and in accordance with law within a period of 4 weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Chief Executive Officer,
Wakf Board of Tamil Nadu,
No.1, Jafar Syrang Street,
Vallal Seethakathi Nagar, Chennai - 1.

2. The District Collector,
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3. The Revenue Divisional Officer,
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4. The Superintendent of Police,
Pudukkottai District, Pudukkottai.

5. The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District, Pudukkottai.

+1cc to Mr.S.Sukumar, Advocate SR.No.3704

+1cc to Mr.K.K.Senthil, Advocate SR.No.4095

+1cc to The Special Government Pleader, Madurai. SR.No.4261

W.P. (MD) No.1448 of 2016

22.01.2016

nbj

NS/PM-MP/29.01.2016 : 2P/9C