



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P.(MD) No.18360 of 2016

Abdullah

: Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by its Secretary,
Minorities Welfare Department,
807, Anna Salai, Chennai.
2. The Tamil Nadu Wakf Board,
rep. by its Chief Executive Officer,
No. Jaffer Syrang Street,
Chennai.
3. The Wakf Superintendant,
Tamil Nadu Wakf Board,
Ramanathapuram Region,
Ramanathapuram District.

4. Paralai Mohideen Andakai Pallivasal,
rep. by its President, Ibrahim
- : Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to take action against the 4th respondent for practising social boycott against the petitioner and his family by considering the representation preferred by the petitioner dated 06.04.2016 in light of the circular issued by the second respondent dated 11.09.2008 within the stipulated period of time.

For Petitioner : Mr. E. Mareeskumar
for M/S.Ajmal Associates

For Respondent No.1 : Mr. R. Anandharaj
Government Advocate

For Respondents No.2 & 3 : Mr. Mohammed Iarish

O R D E R

The petitioner has filed the present Writ Petition to direct the 2nd respondent to take action against the 4th respondent for practising social boycott against the petitioner and his family, by considering the representation preferred by the petitioner, dated 06.04.2016, in light of the circular issued by the second respondent dated, 11.09.2008 within the stipulated period of time.

2. According to the petitioner, he belongs to Muslim Paralai Village, Paramakudi, Ramanathapuram District and now, residing at Chennai. His grand father viz., Ibrahim Shah Mukhandar dedicated certain properties belonging to their family for certain religious purposes in favour of the fourth respondent / Paralai Mohideen Andakai Pallivasal and subsequently, they came to know that there were huge mis-appropriation of the Wakf property dedicated by them, by the president of fourth respondent. When he questioned the same, the fourth respondent excommunicated him and his family from the village and had prohibited any members of the Jamath from having any contact with him. In the above circumstances, the petitioner preferred a representation to the first respondent on 06.04.2016 and the first respondent in turn referred the petitioner's representation to the second respondent. Since, the second respondent has not taken any action, the petitioner has filed the present writ petition.

3. The learned counsel for the second respondent / Wakf Board submitted that the second respondent, Wakf Board will consider his representation and pass orders, within a period of three weeks.

4. In view of the undertaking given by the second respondent, the second respondent is directed to consider the representation of the petitioner dated 06.04.2016 and after issuing notice to all the parties concerned and affording an opportunity of hearing, pass orders on merits and in accordance with law within a period three weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar



1. The Secretary, Minorities Welfare Department,
807, Anna Salai, Chennai.

2. The Chief Executive Officer, The Tamil Nadu Wakf Board,
No. Jaffer Syrang Street, Chennai.

3. The Wakf Superintendant, Tamil Nadu Wakf Board,
Ramanathapuram Region, Ramanathapuram District.

+1CC to M/s.Ajmal Associates Advocate Sr.No.55485

+1CC to Spl.Government Pleader Sr.No.55641

GJM/GSV/PM/14.10.16-3p-6c

W.P. (MD) No.18360 of 2016
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