



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.22712 of 2016

and

W.M.P. (MD) .No.16248 and 16249 of 2016

U.Roshan Ali Khan

... Petitioner

Vs.

1 THE TAMIL NADU WAKF BOARD
REP. BY ITS CHAIRMAN
JAFFAR SIRANG ROAD
VALLAL SEETHAKATHI NAGAR,
CHENNAI -1.

2 THE CHIEF EXECUTIVE OFFICER,
TAMIL NADU WAKF BOARD
JAFFAR SIRANG ROAD
VALLAL SEETHAKATHI NAGAR,
CHENNAI -1.

3 THE SUPERINTENDENT OF WAKF,
TRICHY RANGE,
12, KEELOTHAR STREET,
TRICHY.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records of the impugned proceedings of the first respondent in Na.Ka.No.10996/03/AA5/Trichy dated 09.09.2016 published in Tamil Daily Dina Thanthi dated 09.09.2016 and quash the same as illegal and unlawful.

For Petitioner
For Respondents

: Mr.M.Karunanithi
: Mr.K.K.Senthil

ORDER

This writ petition has been filed, challenging the notification, issued by the second respondent, published in Tamil Daily Dina Thanthi, dated 09.09.2016.

2. According to the petitioner, the second respondent, Chief Executive Officer, who has no power, issued a notification in Tamil Daily Dina Thanthi, dated 09.09.2016 calling for



applications for appointment of trustees. According to him, the Tamil Nadu Wakf Board alone has power for appointment of trustees and hence, the notification was issued without jurisdiction.

3. Mr. K. K. Senthil, learned Standing Counsel appearing for the Tamil Nadu Wakf Board submitted that if the petitioner has any grievance relating to the appointment of trustees, he has to approach the Wakf Tribunal. He also submitted that some of the female line descendants of the original founder of the Wakf, challenging the very same notification, has already approached the Wakf Tribunal by way of filing W.O.P.No.8 of 2016 and the same is pending.

4. In the above circumstances, the petitioner cannot maintain a writ petition. Hence, the writ petition is liable to be dismissed.

5. Accordingly, this writ petition is dismissed. If at all he has any grievance against the notification issued by the second respondent, dated 09.09.2016, he has to approach the Wakf Tribunal. Consequently, connected miscellaneous petitions are also dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1 THE CHAIRMAN

TAMIL NADU WAKF BOARD

JAFFAR SIRANG ROAD

VALLAL SEETHAKATHI NAGAR, CHENNAI -1.

2 THE CHIEF EXECUTIVE OFFICER,

TAMIL NADU WAKF BOARD

JAFFAR SIRANG ROAD, VALLAL SEETHAKATHI NAGAR, CHENNAI -1.

3 THE SUPERINTENDENT OF WAKF,

TRICHY RANGE, 12, KEELOTHAR STREET,

TRICHY.

+1 cc to M/s.K.K.Senthil, Advocate in SR.No.73178

VS

CSL/PV/02.01.2017:2P/5C

**W.P(MD)No.22712 of 2016
and W.M.P. (MD).No.16248 and 16249 of 2016**

25.11.2016