

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.33437 of 2017
and
WMP Nos.36930 and 36931 of 2017

M.Abdul Rahim

[PETITIONER]

Vs

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
1 Jaffar Syrang Street,
Vallal Sidakkathi Nagar,
Chennai 600 001.

2.A.V.Sirajudeen

[RESPONDENTS]

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of mandamus directing the first respondent to take necessary action against the second respondent for his unauthorised functioning of Muthawalli in Masjid Al Haramain, situated at Vallal Yusuf Nagar, Selaiyur Post, Chennai-73, by considering his representation dated 03.10.2017 within the period as stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.V.Lakshmi Narayanan for R1

O R D E R

Mr.V.Lakshmi Narayanan, learned counsel takes notice for the first respondent. Since this writ petition is disposed of without affecting the interest of the second respondent as of now, notice to the second respondent is dispensed with.

2.The petitioner seeks for a mandamus directing the first respondent to take action against the second respondent by contending that the second respondent is functioning as Muthavalli in Masjid Al Haramain situated at Vallal Yusuf Nagar, Selaiyur Post, Chennai-73, unauthorisedly, since the election to

the Board has not been approved by the first respondent so far. Ventilating such grievance, the petitioner has made several representations, out of which, the recent one was made on 24.11.2017. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide after hearing both sides viz., the petitioner and the second respondent. Accordingly, this writ petition is disposed of only by directing the first respondent to consider the representation of the petitioner dated 24.11.2017 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner and the second respondent. Such exercise shall be done by the first respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

vri

To

The Chief Executive Officer,
Tamil Nadu Wakf Board,
1 Jaffar Syrang Street,
Vallal Sidakkathi Nagar,
Chennai 600 001.

+ 1 cc to MR. A. Haja Mohideen, Advocate SR.92272

W.P.No.33437 of 2017

(CS-IV)
EU(17/01/2018)

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