

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.26392 of 2017

Mr.S.Nagore Meeran

.. Petitioner

Vs.

1.The Chief Executive Officer
The Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street,
Vallall Seethakathi Nagar,
Chennai-600 001.

2.The Superintendent of Wakfs
Poonamallee.
Periya Pallivasal Valagam
Poonamallee, Chennai-600 056.

... Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider and pass order on the petitioner's representation dated 17.07.2017 to take immediate action and proceeding against the encroachers under Section 52 and 54 of the Wakf Act, 1995 to recover and prevent further alienation of the Wakf properties in Survey No.1702/2 and 1704/1 measuring 2.81 acres and 2.08 acres belongs to Isbanthiar Baig Mosque situated in little Kanchipuram, 2nd division.

For Petitioner : Mr.I.Abdul Basith

For Respondents : Mr.V.Lakshminarayanan
standing counsel

O R D E R

Mr.V.Lakshminarayanan, learned standing counsel takes notice for the respondents. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a Mandamus directing the first respondent to consider his representation dated 17.07.2017, wherein and whereby he sought for immediate action and proceeding against the encroachers and to prevent further alienation of the WAKF properties in Survey No.1702/2 and 1704/1 measuring 2.81 acres and 2.08 acres belongs to Isbanthiar Baig Mosque situated in little Kanchipuram, 2nd Division.

3. The petitioner claiming to be Muthavalli of Isbanthiar Baig Mosque, Kancheepuram, has filed the present writ petition and sought the relief as stated supra, by alleging that the WAKF property is being encroached and alienated against the interest of the WAKF and no action is taken by the respondents in spite of his representation dated 17.07.2017.

4. This Court, at this stage, is not expressing any view on the claim made by the petitioner on the merits of the matter, as it is for the respondents to consider and decide the same. Hence, this writ petition is disposed of, only with a direction to the first respondent to consider the representation of the petitioner dated 17.07.2017 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to all the parties concerned. Such exercise shall be done by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

सत्यमेव जयते

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To

1.The Chief Executive Officer
The Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street,
Vallall Seethakathi Nagar,
Chennai-600 001.

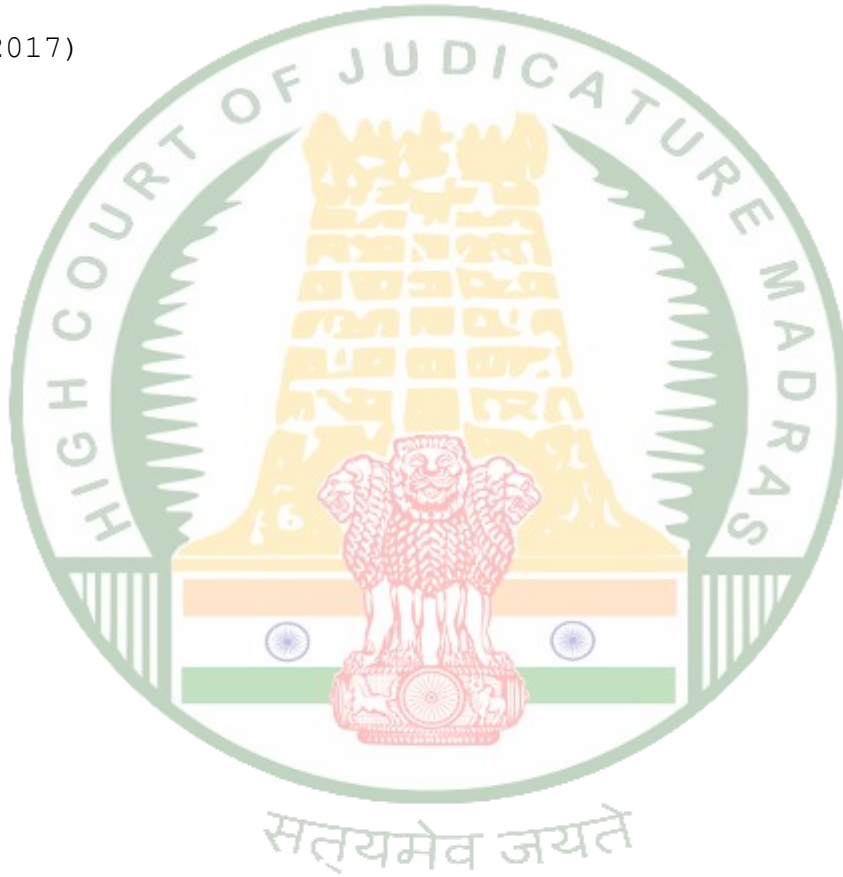
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2.The Superintendent of Wakfs
Poonamallee.
Periya Pallivasal Valagam
Poonamallee, Chennai-600 056.

+1cc to Mr.I.Abdul Basith, Advocate Sr. 72416

W.P.No.26392 of 2017

AR(V)
VR(10/10/2017)



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