

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE  
AND  
The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.44319 of 2016  
and  
W.M.P.No.38187 of 2016

The Pattur Jamia (Big) Mosque  
Managing Committee, Pattur,  
Mangadu, Chennai-600 122  
rep. by its Secretary Mr.S.Gulabdeen.

... Petitioner

-Vs-

1. State of Tamil Nadu,  
rep. by its Secretary,  
Education Department,  
Fort St. George,  
Chennai-600 009.
2. State of Tamil Nadu,  
rep. by its Secretary,  
Public Works Department,  
Fort St. George,  
Chennai-600 009.
3. The Chairman,  
Chennai Metropolitan Development Authority,  
Thalamuthu Natarasan Maligai,  
No.1, Gandhi Irwin Road,  
Egmore, Chennai-600 008.
4. The Chief Engineer,  
Public Works Department,  
Chepauk Buildings,  
Chennai-600 005.
5. The Project Director,  
Rashtriya Madhyamik Shiksha Abhiyan,  
DPI, Nungambakkam,  
Chennai-6.

6. The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
No.1, Jaffar Sirang Street,  
Vallal Seetakathi Nagar,  
Chennai-600 001.
7. Parent Teacher Association (unregistered),  
Govt. High School (Muslim), Pattur,  
rep. by its President Mr.Abdul Rahman,  
Pattur, Mangadu, Chennai-600 122. ... Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the third respondent to demolish the illegal construction being put up by the fourth respondent in the 55 cents land in Survey No.433/1 in Mangadu village belonging to petitioner committee.

For Petitioner : Mr.Mohamed Abbas

For Respondents : Mr.M.K.Subramanian  
Government Pleader for R1, 2, 4 & 5  
Mr.K.Raja Srinivas for R3  
Mr.Lakshmi Narayanan for R6

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

After some arguments, the learned counsel for the petitioner states that an appeal is provided to the Wakf Tribunal and to the extent that the petitioner is aggrieved by the impugned order, he will approach the Wakf Tribunal.

2. The writ petition is dismissed as withdrawn with the aforesaid liberty. No costs. Consequently, W.M.P.No.38187 of 2016 is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

bbr

To

1. The Secretary,  
Education Department,  
Fort St. George, Chennai-600 009.
2. The Secretary,  
Public Works Department,  
Fort St. George,  
Chennai-600 009.
3. The Chairman,  
Chennai Metropolitan Development Authority,  
Thalamuthu Natarasan Maligai,  
No.1, Gandhi Irwin Road,  
Egmore, Chennai-600 008.
4. The Chief Engineer,  
Public Works Department,  
Chepauk Buildings,  
Chennai-600 005.
5. The Project Director,  
Rashtriya Madhyamik Shiksha Abhiyan,  
DPI, Nungambakkam,  
Chennai-6
6. The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
No.1, Jaffar Sirang Street,  
Vallal Seetakathi Nagar,  
Chennai-600 001.

+1cc to Mr.K.Raja Srinivas, Advocate, S.R.No.111

+1cc to the Government Pleader, S.R.No.121

+1cc to Mr.E.Mohamed Abbas, Advocate, S.R.No.578(02.02.2017)

W.P.No.44319 of 2016

WEB COPY

RK(CO)  
CA(10/01/2017)