



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P. (MD)No.11608 of 2017

K.Shajakhan

.. Petitioner

Vs.

1.The Chief Executive Officer,
Tamilnadu Wakf Board,
Jaffer Syrang street,
Vallalseethakathi Nagar,
Chennai.

2.The Superintendent of Wakf,
Tamilnadu Wakf Board,
Opposite to Madurai Railway Junction,
Madurai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to initiate enquiry under Section 54 and 55 of the Wakf Act, 1995 in respect of the lands belonging to the petitioner's Wakf in Survey No.274, which extends to 2 acres 90 cents of Narasingapuram Village, Athur union, Dindigul District by considering the petitioner's representation dated 05.06.2017 within the stipulated time as fixed by this Court.

For Petitioner	: Ms.S.Agalya for M/s.Ajmal Associates
For Respondents	: Mr.K.K.Senthil Standing Counsel

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition on 15-June-2017, after submitting a representation to the respondents on 05-June-2017.

2. The petitioner ought to have given breathing time to the respondents to consider the representation. The petitioner, immediately after sending the representation, rushed to the Court and filed the Writ Petition.

3. We are therefore of the view that no Mandamus as prayed for by the petitioner could be granted at this point of time.

<https://hcservices.ecourts.gov.in/hcservices/>

4. In the result, this Writ Petition is dismissed. No costs.



However, we make it clear that this order would not stand in the way of Tamil Nadu Wakf Board from considering the question of removal of encroachment, in accordance with law.

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/True Copy/

Sd/-

Assistant Registrar(CS-II)

Sub Assistant Registrar

+1cc to M/s.AJMAL ASSOCIATES in Sr.No.65782

+1cc to Mr.K.K.SENTHIL Advocate in SR. NO.65413

SSL/DSK

JS/KK/SAR.4/24.7.2017/2P-3C

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