



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 27.04.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P (MD) No.8172 of 2017

and

W.M.P (MD) No.6295 of 2017

B.Abdullah

..Petitioner

Vs

1. The Tamil Nadu Wakf Board,
(represented by its Chief Executive Officer),
Office No.1, Jaffar Sirank Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The District Collector,
Collectorate,
Thanjavur.

3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thanjavur.

4. Abdul Samad

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to consider the Petitioner's representation dated 14.2.2017 regarding to take appropriate action against the fourth respondent by due process of law in which, he fraudulently transfer the Wakf Property in Pommin Ammal Thaikkal(Darga) extent of 24,757 sq.ft in R.S.Nos.190 and 193, located in Neelagiri Therku Thottam Village, Thanjavur gifted by Raja of Tanjore, to the Medical College, Thanjavur and further to direct the third respondent not to release the balance amount of the sale to the fourth respondent till the disposal of the enquiry of the first respondent.

For Petitioner :Mr.S.A.S.Alaudeen

For Respondent-1 :Mr.K.K.Senthil

Standing Counsel

For Respondents :Mr.A.Muthukaruppan

Addl.Govt.Pleader

ORDER

The learned counsel for the Petitioner approached this Court seeking for issuance of a Writ of Mandamus directing the first respondent to consider the Petitioner's representation, dated 14.2.2017 to take appropriate action against the fourth respondent by due process of law in which, he fraudulently transfer the Wakf Property in Pommin Ammal Thaikkal(Darga) extent of 24,757 sq.ft in R.S.Nos.190 and 193, located in Neelagiri Therku Thottam Village, Thanjavur gifted by Raja of Tanjore, to the Medical College, Thanjavur and further to direct the third respondent not to release the balance amount of the same to the fourth respondent till the disposal of the enquiry of the first respondent.

2.Mr.K.K.Senthil, learned Standing Counsel takes notice for the first respondent and Mr.A.Muthkaruppan, learned Additional Government Pleader takes notice for the second and third respondents.

3.It appears from the averments made in the Writ Petition that the Petitioner has no locus-standi for seeking such prayer as against the Wakf Board. When the learned counsel for the Petitioner is posed with a question, the learned counsel for the Petitioner was unable to answer the same except stating that he was a regular worshipper.. Therefore I do not find any cause of action to entertain this writ Petition and thus the Writ Petition lacks merit and substance.

4.Accordingly, the Writ Petition stands dismissed. Consequently, connected Miscellaneous Petition is dismissed. No costs.

Sd/-

Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1.The Tamil Nadu Wakf Board,
(represented by its Chief Executive Officer),
Office No.1, Jaffar Sirank Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

<https://hccservices.tn.gov.in/>
2.The District Collector,
Collectorate,
Thanjavur.



3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thanjavur.

+1cc to Special Government Pleader, SR.No.

+1cc to Mr. K.K. SENTHIL, Advocate, SR.No.54790

+1cc to Mr. S.A.S. ALAUDEEN, Advocate, SR.No.54381

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and

W.M.P (MD) No.6295 of 2017

27.04.2017

SDS/RSK/10.05.2017/3P/7C