



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN**

W.P(MD)No.8310 of 2016  
and  
W.M.P(MD)No.6732 of 2016

Hazrath Mir Hassanulla Sha Wakf  
Gazette Notification No.703/Trichy  
rep. by its Muthavalli S.Naseer Basha,  
Pensioner Street, Thennru, Trichy - 17. .. Petitioner/Petitioner

Vs.

1.The Chairman,  
Tamil Nadu Wakf Board,  
Chennai.

2.The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
Chennai.

3.The Superintendent of Wakfs,  
Central Zone, Trichy. .. Respondents/Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned notice dated 01.04.2016 and quash the same as illegal and direct the respondents to hand over the petitioners wakf property as stated in the wakf proforma and consequently restraining the respondents from conducting election until the petitioner's properties are handed over.

For Petitioner : Mr.S.M.S.Johnny Basha

For Respondents : Mr.K.K.Senthil

ORDER

This writ petition has been filed seeking a writ of Certiorarified Mandamus to quash the impugned notice, dated 01.04.2016, issued by the third respondent and direct the respondents to hand over the petitioner's wakf property as stated in the wakf proforma and also direct the respondents not to conduct election until the petitioner's properties are handed over.

election itself is over and therefore nothing survives for further adjudication in this matter and a petition W.O.P.No.3 of 2015 is also pending before the Wakf Tribunal, with regard to the issue raised by the petitioner.

3. Recording the same, this writ petition is closed, leaving it open to the petitioner to seek appropriate remedy, in the pending W.O.P.No.3 of 2015, before the Wakf Tribunal. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-  
Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

1. The Chairman,  
Tamil Nadu Wakf Board,  
Chennai.
2. The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
Chennai.
3. The Superintendent of Wakfs,  
Central Zone, Trichy.

+One cc to Mr.S.M.S.Johnny Basha, Advocate, SR.No.90970  
+One cc to Mr.K.K.Senthil, Advocate, SR.No.91503

smn  
RL/6C/2P/SKN/RSK/SAR1/21/12/2017

ORDER MADE IN  
W.P(MD)No.8310 of 2016  
and  
W.M.P(MD)No.6732 of 2016

05.12.2017