

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated : 08.09.2017****CORAM :****THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN****AND****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P(MD)No.9268 of 2016****and****W.M.P(MD)No.7371 of 2016**

K.Mahalakshmi

... Petitioner

Vs.

1. State of Tamil Nadu,
Rep.by its District Collector,
Theni District.
 2. The Tamil Nadu Wakf Board,
Rep.by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai.
 3. The Superintendent of Wakfs,
Southern Zone, No.I, Town Hall Road,
2nd Floor, Pallivasal Complex,
Madurai-1.
 4. Mutawalli,
Pattu Bava Dharga,
Vadakarai, Periyakulam,
Theni District.
 5. The President,
Nawab Jamia Masjid,
Vadakarai Pallivasal,
Periyakulam.
 6. The Commissioner,
Periyakulam Municipality,
Periyakulam.
- ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records relating with the impugned notice issued by the second respondent in R.C.No.84/16/C2 Theni, dated 26.04.2016 and quash the same as it is arbitrary, illegal and without jurisdiction.



For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.T.S.Md.Mohideen, AGP for R1

No appearance for RR2 to 6

WEB COPY

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ petitioner challenges the notice dated 26.04.2016 issued by the second respondent herein calling upon the writ petitioner to appear for enquiry on 24.05.2016.

2.The learned counsel for the writ petitioner contended that the property in question is not a wakf property and that therefore the issuance of the notice is without jurisdiction. We refrain from going into the merits of the matter. Since what has been impugned in the writ petition is only in the nature of notice, the rights of the writ petitioner have not been infringed. It is open to the writ petitioner to place all the materials in support of his contention before the second respondent. The writ petitioner is given time till 15.10.2017 to submit her explanation in response to the impugned notice. The second respondent shall give the fullest opportunity to the writ petitioner and thereafter take a decision in the matter.

3.This writ petition is disposed of with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Theni District.

+ 1 cc TO Mr.R.Suriya Narayanan , Advocate in SR No. 77725

Skm/Arul

AE/KP/SAR3/09.10.2017/2P/3C

**W.P (MD) No.9268 of 2016
and**

**W.M.P (MD) No.7371 of 2016
08.09.2017**