



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.5440 of 2013
and
MP(MD)No.2 of 2013

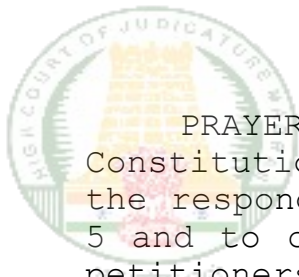
- 1.Sulaiman A.Malik
- 2.S.Abdul Salam
- 3.A.L.Meeran Mohaideen
- 4.S.M.Syed Aboobucker
- 5.S.M.Syed Mohammed
- 6.S.Mohammed Hassim
- 7.Y.Jafarullah
- 8.A.Lukman
- 9.M.Maheen Abubucker
- 10.H.Abdul Kadar Fahim

... Petitioners

-vs-

- 1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
- 2.The Wakf Superintendent,
Tamil Nadu Wakf Board,
54/15, S.N.High Road,
Tirunelveli.
- 3.The President,
Kottar Elankadai Muslim Samudaya Trust,
Kottar P.O.,
Nagercoil - 629 002.
- 4.The Treasurer,
Kottar Elankadai Muslim Samudaya Trust,
Kottar Post,
Nagercoil - 629 002.
- 5.The Secretary,
Kottar Elankadai Muslim Samudaya Trust,
Kottar Post,
Nagercoil - 629 002.

... Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to take action against the respondents 3 to 5 and to consider the representation dated 14.03.2013 given by the petitioners.

For Petitioners : Mr.S.R.Anbarasu
For R1 & R2 : Mr.k.K.Senthil
For R3 to R5 : Mr.P.T.Ramesh Raja

O R D E R

This writ petition has been filed, seeking a direction to the respondents 1 and 2 to take action against the respondents 3 to 5, by considering the representation of the petitioners dated 14.03.2013.

2.Heard the learned counsel appearing for the petitioners, the learned counsel appearing for the respondents 1 and 2 and the learned counsel appearing for the respondents 3 to 5.

3.It is the case of the petitioners that they are the members and voters of Kottar Elankadai Muslim Samudaya Trust and the respondents 3 to 5 are the President, Treasurer and Secretary respectively. The said Trust is having vacant land to the extent of 20 acres in various survey numbers at Vadiveeswaram and Theroor Revenue Village, Agasteeswaram Taluk, Kanyakumari District. The grievance of the petitioners is that the respondents 3 to 5, in violation of the scheme decree framed and awarded in respect of the administration of the said Trust, are taking steps to alienate the said Wakf properties. Hence, the petitioners have made a representation dated 14.03.2013 to the respondents 1 and 2, to take action against the respondents 3 to 5. As the same has not been considered so far, the present petition has been filed.

4.The learned counsel appearing for the respondents 1 and 2 submits that if a reasonable time is granted to the respondents 1 and 2, the representation of the petitioners will be considered and appropriate orders will be passed.

5.In view of the said submission, this Court, without going into the merits of the matter, directs the respondents 1 and 2 to consider the representation of the petitioners dated 14.03.2013 and pass orders on the same on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and any of the interested parties.

6.With the above direction, this writ petition is disposed of. No costs. Consequently, MP(MD)No.2 of 2013 is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/



To

- 1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

- 2.The Wakf Superintendent,
Tamil Nadu Wakf Board,
54/15, S.N.High Road,
Tirunelveli.

+One cc to Mr.S.R.Anbarasu, Advocate, SR.No.89400

+One cc to M/s.K.K.Senthil, Advocate, SR.No.89543

mj

RL/5C/3P/JC/SAR1/13/12/2017

W.P (MD) No.5440 of 2013

24.11.2017