

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Writ Petition No.9274 of 2017

T.A.N.Mohamed Ismail

... Petitioner

Vs.

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

2.Arrahimiya Arabic College and Wedding Hall Wakf
represented by its Muthavalli
M.A.Basheer Ahmed

... Respondents

Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 27.02.2017 and enquire into the same and consequently, direct the first respondent to pass suitable orders to the petitioner's representation dated 27.02.2017 within a time frame as fixed by this Court.

For Petitioner : Mr.R.Abdul Mubeen

For R1 : Mr.V.Ragavachari

For R2 : Mr.N.A.Nissar Ahmad

O R D E R

The petitioner has come up with this writ petition seeking a direction to the first respondent to pass appropriate orders, on his representation dated 27.02.2017, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that he submitted a representation dated 27.02.2017, alleging that the second respondent Wakf is maintained by a Committee of self styled office bearers, without conducting any election and there are

certain irregularities in the administration and management of the same and hence, requesting the first respondent to conduct enquiry and pass appropriate orders. Since the said representation was not considered by the first respondent, the petitioner is before this Court with the present writ petition.

3. When the matter was taken up for consideration, the learned counsel for the respective respondents, on instructions, submitted that subsequent to the filing of this writ petition, the first respondent, based on the inspection reports dated 02.06.2017 and 04.07.2017, submitted by the Wakf Inspector, Nagapattinam, passed an order in Na.Ka.No.2742/17/A7/Nagai dated 23.10.2017, registering the second respondent as Wakf under Section 36 of the Wakf Act, 1995 (Amended Act 27/2013) bearing Registration No.338/2017. Thereafter, the first respondent, vide communication dated 05.09.2018, approved the elected Executive Committee of the said Wakf consisting of 9 members headed by one Janab Alhaj A.Rabi Ahamad, for a period of three years i.e., from 07.07.2018 to 06.07.2021. In support of their submissions, they have also produced the copies of the aforesaid proceedings before this Court. Thus, according to the learned counsel, it is unnecessary to pursue this writ petition.

4. Recording the aforesaid submissions and proceedings issued by the first respondent, this writ petition stands closed, leaving it open to the petitioner to submit a fresh representation to the first respondent, if he is able to pinpoint the irregularities found in the second respondent Wakf. No costs.

Sd/-
Deputy Registrar

//True copy//

Sub Assistant Registrar

rk

To

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

+1cc to Mr.R.Abdulmubeen, Advocate SR.No.64131

Writ Petition No.9274 of 2017

GMV (26/10/2018)