

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2018

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.6540 of 2018
and
WMP No.8135 of 2018

Sahul Hameed

... Petitioner

vs.

1. Government of Tamilnadu,
Rep. by its Secretary,
Backward Classes,
Most Backward Classes and
Minority Welfare Department,
Fort St. George, Chennai - 600 009.

2. Tamil Nadu Wakf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffar Sarang Street,
Vellal Seedhakadhi Nagar,
Chennai - 600 001.

सत्यमेव जयते... Respondents

WRIT Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus, to post the cases 1) W.P.No.31290 of 2017 (2) W.P.No.28569 of 2017 (3) W.P. No.26558 of 2017 and (4) CMA No.3162 of 2017, before the same Bench at an early day.

For Petitioner : Mr.S.Y.Masood

For Respondents : Mr.T.N.Rajagopalan (for R1)
Government Pleader

ORDER

(Order of the Court was made by S.MANIKUMAR, J)

Based on a letter dated 23.01.2018, the petitioner claiming himself to be a public interest litigant, has sought for a mandamus, strangely, against the Government of Tamilnadu, represented by its Secretary, Backward Classes, Most Backward Classes and Minority Welfare Department, Chennai and the Tamil Nadu Wakf Board, represented by its Chief Executive Officer, Chennai, respondents 1 and 2, respectively, to post the cases 1) W.P.No.31290 of 2017 (2) W.P.No.28569 of 2017 (3) W.P. No.26558 of 2017 and (4) CMA No.3162 of 2017, before the same Bench, at an early day.

2. Letter dated 23.01.2018, addressed to the Registrar General, High Court, Madras, is as follows:

"Dear Sir,

REF: 1.W.P.31290 OF 2017 - J.HASSAIN VS. THE PRINCIPAL SECRETARY;
2. W.P.28569 OF 2017 - M.K.KHAN VS. GOVERNMENT OF TAMIL NADU
3. W.P.26558 OF 2017 - A.K.RAFI BAIF VS. THE GOVERNMENT OF TAMIL
NADU AND

CMA 3162 OF 2017 - A.V.SIRAJUDEEN VS. THE SECRETARY TO
GOVERNMENT - POSTING OF CASES - REGARDING.

All the matters mentioned in the reference relate to Constitution of the waqf board. The writ petitions and civil miscellaneous appeal are being listed before separate courts, according to portfolio.

As all matters relate to the same subject matter, I made a mention to the Hon'ble Chief Justice this morning, (23/01/2018) for constitution of a bench. On the last occasion, when the constitution

of the waqf board was challenged, the then Hon'ble the Chief Justice constituted a special bench consisting of Hon'ble Ms.Justice Banumathi and Hon'ble Mr.Justice K.Ravichandra Baabu. It was so because the subject matter was not only common one but also to obviate the necessity of an intra court appeal.

Kindly obtain orders of Hon'ble The Chief Justice and do needful."

3. Petitioner has sought for a mandamus, against the above respondents, to post the cases, who are not the competent authorities to group the matters and post the same before any Bench of this Court. Prayer sought for is solely misconceived, not maintainable and liable to be rejected. Accordingly, writ petition is dismissed. No Costs. Consequently, the connected Writ Miscellaneous Petition is closed.

(S.M.K., J.) (V.B.S., J.)
23.03.2018

Index: Yes.

Internet: Yes.

Speaking / Non-speaking order.

ars

सत्यमेव जयते
WEB COPY

S.MANIKUMAR,J.
AND
V.BHAVANI SUBBAROYAN, J.

ars

To

1. The Secretary,
Government of Tamilnadu,
Backward Classes,
Most Backward Classes and
Minority Welfare Department,
Fort St. George, Chennai - 600 009.

2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Sarang Street,
Vellal Seedhakadhi Nagar,
Chennai - 600 001.

W.P.No.6540 of 2018
and WMP No.8135 of 2018

WEB COPY