

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.02.2018

C O R A M

THE HON'BLE Mr.JUSTICE K. RAVICHANDRABAABU

W.P.No.30790 of 2017

and

WMP Nos.33714 to 33716 of 2017

- 1.Mr.Masood Moamed Kasim
- 2.Abdul Haq
- 3.U.Mohideen Khan
- 4.M.Mohamed Kasim

...Petitioners

vs

- 1.The Chairman,
Waqf Board,
No.1, Jaffar Sirang Street,
Vallal Seethakati Nagar,
Chennai-1.
- 2.The Chief Executive Officer,
Tamilnadu Waqf Board,
No.1, Jaffar Sirang Street,
Vallal Seethakati Nagar,
Chennai-1.
- 3.The Superintendent of Waqf,
Cuddalore and Villupuram,
512, Gandhi Road,
Panruti.
- 4.M.S.Tajuddin
- 5.Sharmila
- 6.Sheik Baseeth

...Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus to call for the records of the second respondent in Se.Mu.No.16379/92/Aa-4/Cuddalore dated 28.2.2017 and quash the same and thereby constitute a fresh Five Member Administrative Committee in accordance with the Scheme Decree in O.S.200 of 1981 dated 07.05.1984 of the learned Subordinate Judge, Cuddalore and also direct the respondents to consider the representation of the petitioner dated 09.10.2017.

For petitioners : Mr.N.Suresh

For Respondents : Mr.V.Lakshmi Narayanan for R1 and R2
Mr.Nizar Ahmed for R3 to R6

O R D E R

Mr.V.Lakshmi Narayanan, learned counsel takes notice for respondents 1 and 2 and Mr.Nizar Ahmed, learned counsel takes notice for respondents 3 to 6. By consent of parties, the writ petition is taken up for final disposal.

2.The petitioners are aggrieved against reappointment of respondents 4 to 6 as members of the Administrative Committee of the subject matter Dharga. Hence, they filed the present writ petition challenging the said order of reappointment dated 28.02.2017, consequently for a further relief of constituting a fresh Five Member Administrative Committee in accordance with the Scheme Decree in O.S.200 of 1981 dated 07.05.1984 on the file of the Sub Court, Cuddalore.

3.The grievance of the petitioners is that the reappointment of the respondents 4 to 6 as Administrative Committee Members of the said Dharga is not in accordance with the Scheme Decree passed by the Civil Court in O.S.No.200 of 1981 dated 07.05.1984. Ventilating such grievance, the petitioners have already made a representation on 09.10.2017.

4.Heard both sides.

5.This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioners, as it is for the second respondent to consider and decide the said claim made by the petitioners and pass appropriate orders on merits and in accordance with law, after hearing the petitioners as well as the respondents 4 to 6. This writ petition is disposed of accordingly with the above direction, also with further direction to the second respondent to pass such an order within a period of six weeks from the date of receipt of a copy of this order. No costs. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vri

To

1.The Chairman,
Waqf Board,
No.1, Jaffar Sirang Street,
Vallal Seethakati Nagar,
Chennai-1.

2.The Chief Executive Officer,
Tamilnadu Waqf Board,
No.1, Jaffar Sirang Street,
Vallal Seethakati Nagar,
Chennai-1.

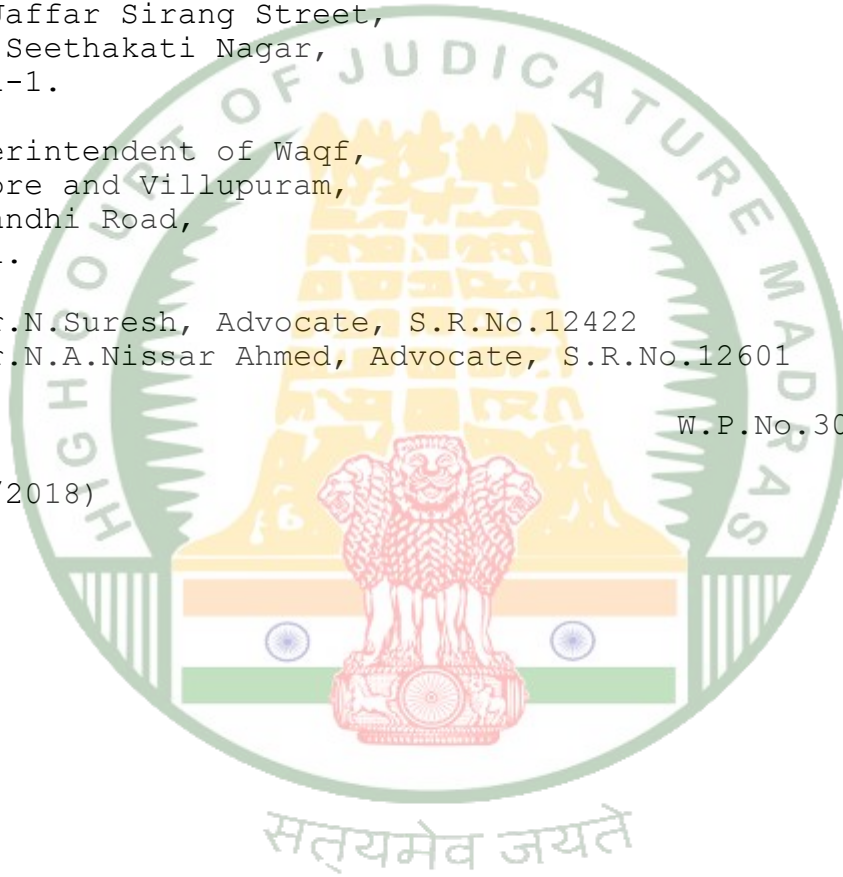
3.The Superintendent of Waqf,
Cuddalore and Villupuram,
512, Gandhi Road,
Panruti.

+1cc to Mr.N.Suresh, Advocate, S.R.No.12422

+1cc to Mr.N.A.Nissar Ahmed, Advocate, S.R.No.12601

W.P.No.30790 of 2017

PA(CO)
RRK(05/03/2018)



WEB COPY