

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.8083 of 2014

Md. Ahmed Basha
Secretary
Mubarak Anjuman
105, Dr.Besant Road,
Mirsahibpet, Chennai -14 ... Petitioner

Vs.

The Estate Officer and Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 1 ... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to dispose of the application dated 05.08.2013 made by the petitioner under the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act 1975 in accordance with law.

For Petitioner : Mr. N.A.Nissar Ahmed

For Respondents : Mrs. V.Srimathi

O R D E R

This writ petition has been filed seeking a direction to the respondent Wakf Board to consider the petitioner's application filed under the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) and take action on the same.

2. According to the petitioner, he is the Secretary of one Mubarak Anjuman went and some third parties occupied the property belongs to the Wakf. Hence, he has made an application to the respondent to evict them. But the same was not considered so far. Hence, the present writ petition has been filed.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the respondent would submit that

since the application filed by the petitioner was not traceable , it was not taken up for consideration and hence, the petitioner may be directed to file a fresh application and on filing such application, suitable action will be taken by the Wakf Board.

4. Considering the facts and circumstances, the petitioner is directed to file fresh application within a period of two weeks from the date of receipt of a copy of this order and on filing such application, the respondent-Wakf Board is directed to consider the same and pass suitable orders on merits and in accordance with law within a period of six weeks thereafter.

5. With the above directions, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mrp

To

The Estate Officer and Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 1.

+1cc to Mr.N.A.Nissar Ahmed, Advocate sr.88546
+1cc to Mr.V.Raghavachari, Advocate sr.88265

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