



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2019

CORAM

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.4196 of 2014

A.Ummul Habiba

... Petitioner

Vs.

- 1.The Tamil Nadu Wakf Board,
Rep. by its Secretary,
Vallal Seetha Kadhiri Nagar,
Chennai.
- 2.Kandhal Sunnath Zamath Committee,
Rep. by its Secretary,
Kandhal,
Ooty.
- 3.Masjith Noor Committee,
Melkuddalore,
The Nilgiris.

4.Asainar

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a WRIT OF MANDAMUS, directing the first respondent to consider the petitioner's representation dated 09.07.2013 and pass suitable orders against the second respondent for issuing an illegal certificate of Talaq.

For Petitioner : Mr.Bader Sayeed
For R1 : Mr.H.Yasmeen Ali for
Wakf Board

For R2 to R4 : No appearance

O R D E R

The petitioner has filed the Writ Petition praying to issue a WRIT OF MANDAMUS, directing the first respondent to consider the petitioner's representation dated 09.07.2013 and pass suitable orders against the second respondent for issuing an illegal certificate of Talaq.



2.The learned counsel for the petitioner submitted that the petitioner made a representation to the first respondent on 09.07.2013, to take proper action against the second and fourth respondent under the Wakf Act, but there is no response. Therefore, filed the present writ petition before this Court.

3.Notice served to the second and fourth respondent, but none appeared on behalf of the second and fourth respondents.

3.The learned counsel appearing for the first respondent would submit that the election was conducted for the first respondent and office bearers were selected for the respondent Board. The proposal was sent to the Government for approval of the elected office bearers and the same is pending. He further submitted that the petitioner's representation may be considered on merits and in accordance with law.

4.In view of the submission of the learned counsel for the parties, without expressing any opinion on merits, this Court is inclined to direct the first respondent to consider the petitioner's representation dated 09.07.2013 on merits and in accordance with law as expeditiously as possible, immediately, after providing opportunities to the parties concerned.

5.With the above observation, this writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

The Tamil Nadu Wakf Board,
Rep. by its Secretary,
Vallal Seetha Kadhiri Nagar,
Chennai.

+1cc to Mr.Bader Sayeed, Advocate SR.No.39677

+1cc to Mr.H.Yasmeen Ali, Advocate SR.No.39426

W.P.No.4196 of 2014

GP(CO)
GMY(26/06/2019)