

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.25149 of 2013
and M.P.No.1 of 2013

Hazarath Syed Sha Hameed Awliya
Badhusa Dhargha, through the Managing Trustee,
A.S.Mahaboob Basha ...Petitioner

Vs.

1. Tamil Nadu Wakf Board,
Through its "Chief Executive-Officer"

No.1, Jaffar Syrong Street,
Vallal Seethakathi Nagar,
George Town, Chennai 600 001.

2. Inspector of Wakf,
Office of Inspector of Wakf,
Kancheepuram P.O.

3. Superintendent of Wakf,
Office of Superintendent of Wakf,
Kancheepuram P.O.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records from the first respondent pertaining to Na.Ka.No.10588/10/A9 Kanchi, dated 13.02.2013 and to quash the same.

For Petitioner : Mr.M.K.Hidayathullah
For Respondents : Mr.V.Raghavachari

ORDER

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents and perused the materials available on record.

2. This writ petition has been filed challenging the show cause notice issued by the first respondent dated 13.02.2013.

3. It seems that the petitioner had already submitted his reply to the impugned show cause notice and the respondent has also issued a notice for conducting enquiry. The grievance of the petitioner is that without furnishing the documents sought for in the reply, respondent has now issued enquiry notice.

4. The learned counsel for the petitioner submitted that though the petitioner had already sent his reply, but the enquiry cannot be proceeded with, until the required documents are furnished to the petitioner.

5. The learned counsel for the respondents submitted that during the enquiry, if the petitioner seeks relevant documents, that would be furnished to him.

6. In the instant case, admittedly the show cause notice has not been challenged on the ground of incompetency of the officer, who issued show cause notice, nor any bias attributed against him. Further, no materials have been produced to show that it was issued with malafide intention. Hence, this Court doesn't find any reason to quash the show cause notice. In the result, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

pvs

To

Chief Executive-Officer
Tamil Nadu Wakf Board,
No.1, Jaffar Syrong Street,
Vallal Seethakathi Nagar,
George Town, Chennai 600 001

+1 CC to Mr.V. Raghavachari, Advocate sr 48831(13/08/2018)

+1 CC to Mr.M.K.Hidayathullah, Advocate sr 48789(13/08/2018)

WP.No.25149 of 2013

SP(11/01/2018)