

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No. 25203 of 2018

M.G.Mohamed Ibrahim

.. Petitioner

Vs

Tamil Nadu Waqf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus by directing the respondent to appoint the Petitioner as the succeeding mutawalli for administering and to maintain the trust, 'Haji Muhammad Ali Maricar Choultry' and its properties situated at Chidambaram-Sirkali Road, Kadai Theru, Kaithaymilleth Street and Kulathumettu Street, Tadalankodi Village, Sirkali Taluk, Nagapattinam District.

For Petitioner : Mr.Murgesh Kasivel

For Respondent : Ms.Poornima

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the respondent to appoint him as the succeeding mutawalli for administering and maintaining the trust 'Haji Muhammad Ali Maricar Choultry' and its properties situated at Chidambaram-Sirkali Road, Kadai Theru, Kaithaymilleth Street and Kulathumettu Street, Tadalankodi Village, Sirkali Taluk, Nagapattinam District.

3.According to the learned counsel for the petitioner, the petitioner has submitted the representations dated 17.04.2013

and 03.09.2013 claiming the same relief as prayed in this writ petition, but, the same are yet to be disposed of by the respondent. However, the learned counsel submitted that it would suffice, if the representations made by the petitioner are directed to be considered by the respondent, on merits.

4.Ms.Poornima, learned Standing Counsel taking notice for the respondent, agreed for consideration of the petitioner's representations.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondent to consider the petitioner's representations dated 17.04.2013 and 03.09.2013 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Audit)

//True copy//

Sub Assistant Registrar

vga

To

The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

+1cc to Mr.Murugesh Kasivel, Advocate SR.No.66388

+1cc to Mrs.R.Poornima, Advocate SR.No.66828

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GMV (17/10/2018)