

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.12.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P. No.34237 of 2018
and
W.M.P.No.39782 of 2018

Abesha Thaikka Wakf .. Petitioner
Rep by its President A.A.Jahir Hussan
Vs.

- 1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffersyrang Street,
Vallalseethakathi Nagar,
Chennai - 600 001.
- 2.The Superintendent of Wakfs,
512, Gandhi Road,
Panruti - 607 106.
- 3.The District Registrar,
District Registrar Office,
Villupuram District - 605 602.
- 4.The Sub-Registrar,
Joint Sub-Registrar Office,
Villupuram District - 605 602.

5.T.Pugazendhi .. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent to conduct an enquiry with regard to the submission of forged letter dated 12.05.2018 by the 5th respondent for the purpose of registration of sale deed bearing No.2011/2018 dated 27.06.2018 and further direct the 3rd and 4th respondent to cancel the sale deed bearing No.2011/2018 dated 27.06.2018 and initiate criminal prosecution against the 5th respondent.

For Petitioner : Mr.H.Thameen Ansari

For RR1 & 2 : Mr.Mohammed Aseef

For RR3 & 4 : Mr.T.M.Pappiah

Special Government Pleader

O R D E R

This Writ Petition has been filed seeking a direction to the third respondent to conduct an enquiry with regard to the submission of forged letter dated 12.05.2018 by the fifth respondent for the purpose of registration of sale deed bearing No.2011/2018 dated 27.06.2018 and further direct the third and fourth respondents to cancel the sale deed bearing No.2011/2018 dated 27.06.2018 and initiate criminal prosecution against the fifth respondent.

2. Though the petitioner has sought for a direction to the respondents 3 and 4 to conduct an enquiry and to cancel the sale deed, the learned counsel for the petitioner submits that the petitioner may be permitted to give a representation for conducting enquiry with regard to the forged letter dated 12.05.2018 submitted by the fifth respondent and it would suffice, if the said representation made by the petitioner is directed to be considered by the fourth respondent, on merits.

3. Heard, the learned counsel on both sides.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, permits the petitioner to give a representation to the fourth respondent and the fourth respondent is directed to conduct an enquiry with regard to the forged letter dated 12.05.2018 submitted by the fifth respondent for the purpose of registration of sale deed bearing No.2011/2018 dated 27.06.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner, fifth respondent and the persons interested in this regard and also affording them due opportunity of personal hearing, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rsi

To

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffersyrang Street,
Vallalseethakathi Nagar,
Chennai - 600 001.

2.The Superintendent of Wakfs,
512, Gandhi Road,
Panruti - 607 106.

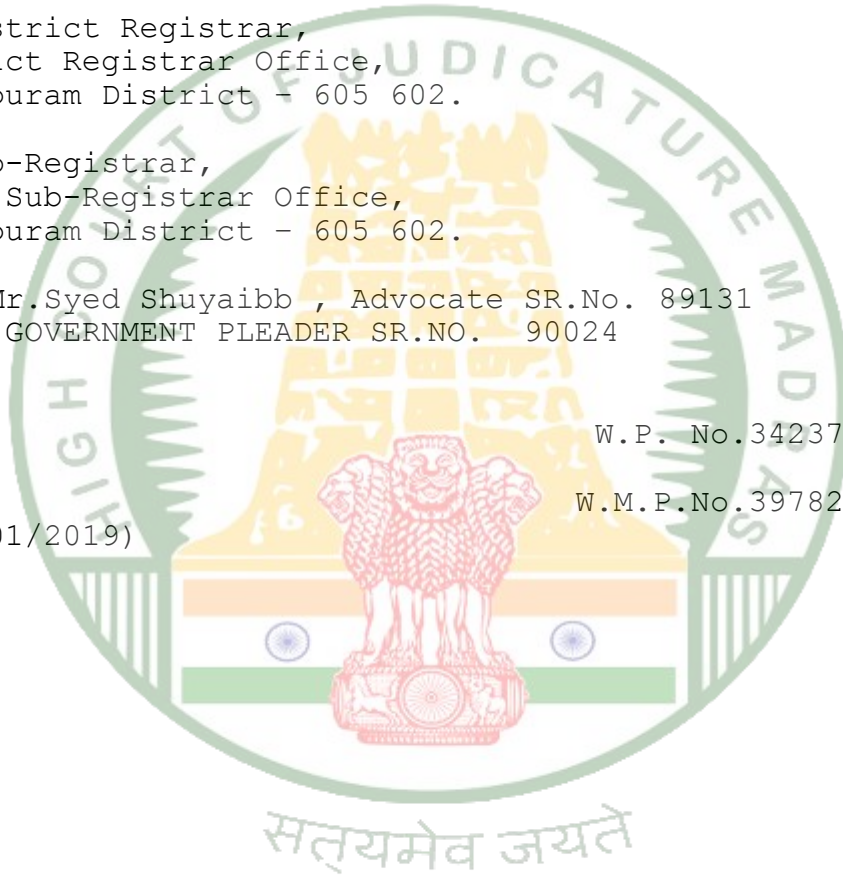
3.The District Registrar,
District Registrar Office,
Villupuram District - 605 602.

4.The Sub-Registrar,
Joint Sub-Registrar Office,
Villupuram District - 605 602.

+1cc to Mr.Syed Shuyaibb , Advocate SR.No. 89131
+1 CC TO GOVERNMENT PLEADER SR.NO. 90024

A.SK(31/01/2019)

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