



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.8183 of 2018

and

W.M.P.(MD) No.7734 of 2018

K.S.Abdul Sukoor

... Petitioner

vs.

1.The Tamil Nadu Wakf Board
Represented by its Chairman
No.1, Jaffer Syrang Street
Chennai 600 001

2.The Chief Executive Officer
The Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street
Chennai 600 001

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to extend the time of the petitioner as Muttavalli from 06.03.2018 so as to enable the petitioner to complete the works such as construction started by the petitioner as well as to take care of the cases filed by the petitioner by considering the representation of the petitioner dated 26.03.2018 within a stipulated time.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.K.K.Senthil, Standing Counsel

O R D E R

Mr.K.K.Senthil, learned Standing Counsel, takes notice for the respondents.

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

3. It is the grievance of the petitioner that his representation dated 26.03.2018, seeking for extension of time as Muthavalli so as to enable him to complete the construction works started by him and to take care of the cases filed by him, has not been considered by the second respondent till date and therefore, he has filed the present writ petition.



4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 26.03.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub Assistant Registrar

+1cc to Mr.S.C.Herold Singh, Advocate, SR.No.61524

+1cc to Mr.K.K.Senthil, Advocate, SR.No.61575

krk

RL/3C/2P/KK/SAR1/27/4/2018

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