



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.9435 of 2018

WEB COPY

Bahardeen

... Petitioner

vs.

1.The Chief Executive Officer
Tamil Nadu Waqf Board
No.1, Jaffar Syrang Street
Vallal Seethakathi Nagar
Chennai-625 001

2.The Superintendent of Wakf
Chinna Kadai Street
Velipattinam
Ramanathapuram District

3.The President
Jalaal Jamaal Jumma Mosque
Periyapattinam
Ramanathapuram District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to consider the representation given by the petitioner, dated 09.04.2018 for issuance of suitable instructions to the third respondent to provide No Objection Certificate for conducting the marriage of his son Mohammed Albudeen within a stipulated time.

For Petitioner : Mr.R.Gandhi
For Respondents : Mr.K.K.Senthil
For R1 and R2

O R D E R

Mr.K.K.Senthil, learned counsel, takes notice for the respondents 1 and 2. Notice to the third respondent is dispensed with in view of nature of the order to be passed by this Court.

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 09.04.2018 seeking for a direction to the third respondent to issue a No Objection Certificate for conducting marriage of his son Mohammed Albudeen, 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 09.04.2018 on its own merits and take further action in accordance with law, within a period of four 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.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

+1cc to Mr.K.K.SENTHIL, Advocate, SR.No.63868

W.P.(MD) No.9435 of 2018
26.04.2018

KRK
KK/RSK/08.05.2018/SAR-4/2P-2C