



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.9343 of 2018

A.J.Nijaam Mydeen

... Petitioner

vs.

1. The Chief Executive Officer,
Tamil Nadu WakfBoard,
Wakf House No.1,
Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai.

2. The Wakf Superintendent,
Wakf Superintendent Office,
No.27, Deevan Nagar,
Court Road, Opp to Jumma Pallivasal,
Thanjavur- 613 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to declare election in Vilanthakandam Mohideen Aandavar Pallivasal Jamath Association and consequently to direct the second respondent to conduct the election in the light of the same by considering the petitioner's representation dated 03.04.2018.

For Petitioner : M/S.P.Yasmin Begum
For Respondents : Mr.K.K.Senthil

O R D E R

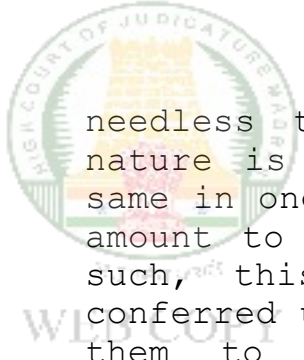
Mr.K.K.Senthil, learned counsel, takes notice for the respondents.

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 03.04.2018 to direct the first respondent to declare election in Vilanthakandam Mohideen Aandavar Pallivasal Jamath Association and consequently to direct the second respondent to conduct the election, has not been considered by the respondent till date and therefore, he has filed the present writ petition.

<https://hcservices.ecourts.gov.in/hcservices/>

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 first respondent to consider the petitioner's representation dated 03.04.2018 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. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondents and any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Executive Officer,
Tamil Nadu WakfBoard,
Wakf House No.1,
Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai.
2. The Wakf Superintendent,
Wakf Superintendent Office,
No.27, Deevan Nagar,
Court Road, Opp to Jumma Pallivasal,
Thanjavur- 613 001.

+ 1 cc TO Mr.K.K.Senthil , Advocate in SR No. 63565
+ 1 cc TO M/S.P.Yasmin Begam , Advocate in SR No. 63525

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AE/SV MMS/SAR3/14.05.2018/2P/5C

W.P. (MD) No.9343 of 2018
25.04.2018