



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.15706 of 2018

Sheik Alavudeen

: Petitioner

Vs.

1.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1 Jaffersyrang Street,
Vallal Seethakathi Nagar,
Chennai-600001.

2.The Superintendent of Waqf,
O/o.Superintendent of Waqf,
No.27, Diwan Nagar,
Court Road, Opp to Jumma Mosque,
Thanjavur-613 001.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to conduct/perform the 10th day of Dhul Kaitha month (Islamic Calendar month) Periya Thaikkal @ Sheik Ibrahim Jailani Oilyulla Thaikkal (Sunni Waqf) functions scheduled will be held on 23.07.2018 under their supervision as per the proforma of the said Dharga by considering the petitioner's representation dated 07.07.2018 with in the period that may be stipulated by this Court.

For Petitioner	:	Mr.J.Muneerkhan
For R1	:	Mr.J.Guneseelan Muthiah, Additional Government Pleader.
For R2	:	Mr.K.K.Senthil

ORDER

Heard Mr.J.Muneerkhan, Learned Counsel appearing for the Petitioner Mr.K.K.Senthil, learned counsel appearing for the 2nd Respondent, Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader who takes notice on behalf of the first respondent.

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 07.07.2018, seeking permission to conduct the 10th day of Dhul



Kaitha month (Islamic Calendar month) Periya Thaikkal @ Sheik Ibrahim Jailani Oilyulla Thaikkal (Sunni Waqf) functions scheduled will be held on 23.07.2018, has not been considered by the respondents till date and therefore, he has filed the present Writ Petition.

WEB COPY

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 07.07.2018 on its own merits and take further action in accordance with law, on or before 23.07.2018. Such an exercise shall be done after conducting enquiry and giving due opportunity to the petitioner as well as Niyamathulla, Gulam Hussain, Mohamed Sathik, Liyakath Ali, Usman and Amanulla and also any other persons who may be interested in the subject matter.

6.With the above directions, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

- 1.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1 Jaffersyrang Street,
Vallal Seethakathi Nagar,
Chennai-600001.
- 2.The Superintendent of Waqf,
O/o.Superintendent of Waqf,
No.27, Diwan Nagar,
Court Road, Opp to Jumma Mosque,
Thanjavur-613 001.

+1cc to Mr.K.K.Senthil, Advocate, SR.No.73979.

+1cc to Mr.J.Muneerkhan, Advocate, SR.No.73942.

W.P. (MD) No.15706 of 2018

19.07.2018