



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) .No.17229 of 2018

S.Mohideen Abdul Khadar

... Petitioner

Vs.

1. The Secretary to Government,
Minority Welfare Department,
Fort. St.George, Chennai.
2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Sirang Street,
Vallal Seethakadhi Nagar,
Chennai.
3. The Wafk Superintendent,
Tamil Nadu Wakf Board, Thanjavur.
4. The Wakf Inspector,
Tamil Nadu Wakf Board Office,
Thanjavur.

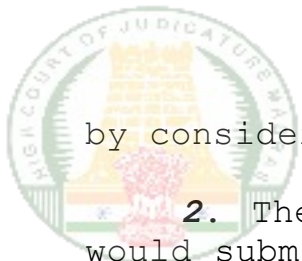
... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to forthwith take necessary action to appoint a fit person to manage the affairs of Mohideen Andavar pallivasal situated at Valuthur Village, Papanasam Taluk, Thanjavur District by considering the petitioner's representation dated 23.07.2018

For Petitioner	: Mr.S.Vinayak
For R1	: Mr.J.Gunaseelan Muthiah Additional Government Pleader
For R2, R3 & R4	: Mr.K.K.Senthil

ORDER

The prayer sought for in this Writ Petition is to appoint a fit person to manage the affairs of Mohideen Andavar pallivasal, situated at Valuthur Village, Papanasam Taluk, Thanjavur District,



by considering the petitioner's representation dated 23.07.2018.

2. The learned counsel appearing for the respondents 2 to 4 would submit that there is no provision in the Act for appointment of a fit person in Dharga or Pallivasal, which comes under the control of the Wakf Board. Therefore, he would further submit that the prayer sought for by the petitioner in this Writ Petition is not maintainable. In any event, the learned counsel appearing for the respondents would submit that in case, the petitioner is having any grievance, he can approach the Wakf Tribunal under Section 83 of the Wakf Act, 1955.

3. Recording the submission made by the learned counsel appearing for the respondents 2 to 4, this Court is of the view that the prayer sought for in this Writ Petition is not maintainable. It is open to the petitioner to seek appropriate remedies under the provisions of the Wakf Act, 1955, if so advised.

4. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar(CS-II)

To

The Secretary to Government,
Minority Welfare Department,
Fort. St.George, Chennai.

+ 1 CC TO Mr.K.K.SENTHIL, ADVOCATE IN SR No. 78095

+ 1 CC TO Mr.S.VINAYAK, ADVOCATE IN SR No. 78220

TSG

TE/RP/SAR-2 : 28/08/2018 : 2P/4C

W.P. (MD) .No.17229 of 2018
10.08.2018