

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 27.08.2018****CORAM:****THE HONOURABLE MR.JUSTICE V.PARTHIBAN****W.P. (MD) No.18528 of 2018****WEB COPY**

I.Abdul Rasheed

... Petitioner

vs.

1. The Tamil Nadu Wakf Board
rep.by its Chairman
No.1, Jafar Sirang Road
Vallal Seethakathi Nagar
Customs House Back Side
Chennai-1

2. The District Revenue Officer /
Chief Executive Officer
Tamilnadu Wakf Board
No.1, Jafar Sirang Road
Vallal Seethakathi Nagar
Customs House Back Side
Chennai-1

3. The Superintendent of Wakf
Ramanathapuram
Ramanathapuram District

4. The Wakf Inspector
Ramanathapuram
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 petitioner's representation dated 26.06.2018 and pass orders in accordance with law within a stipulated time.

For Petitioner : Mr.P.R.Prithiviraj

For Respondents: Mr.K.K.Senthil

O R D E R

The prayer in this writ petition is for issuance of a writ of mandamus directing the second respondent to consider the petitioner's representation, dated 26.06.2018, and pass orders in accordance with law within a stipulated time.

2. Mr.K.K.Senthil, learned counsel, who takes notice for the respondents, would submit that there is an effective alternative



remedy for the petitioner under Section 83 of the Wakf Act. Therefore, it is always open to the petitioner to approach the Wakf Tribunal under the above said Section and seek appropriate remedy in regard to the grievances projected by him in this writ petition.

3. Considering the effective alternative remedy as provided under Section 83 of the Wakf Act, this Court does not think that the writ petition can be entertained directly in its extraordinary jurisdiction under Article 226 of the Constitution of India. It is always open to the petitioner to seek appropriate remedy before the Wakf Tribunal under the provisions of the Wakf Act. Therefore, the writ petition is dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

+1cc to Mr.P.R.Prithiviraj, Advocate Sr.No.80315

+1cc to Mr.K.K.Senthil, Advocate Sr.No.80804

KRK

VB/SKN/SAR1/11.09.2018/2P/3C

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