

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.02.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.3048 of 2019

Jagir Aazhar Makbura Pallivasal Wakf,
Represented by its Vice President,
Interim Ad-hoc Committee,
Mr.A.Mohammed Ali,
S/o. Abdul Aziz Sahib,
Valikondapuram Village,
Veppanthattai Taluk,
Perambalur District.

.. Petitioner

Vs.

1. The Chairman,
Tamilnadu Wakf Board,
No.1, Jaffer Sarang Street,
Vallal Seethakadhi Nagar,
Chennai - 600 001.
2. The Chief Executive Officer,
Tamilnadu Wakf Board,
No.1, Jaffer Sarang Street,
Vallal Seethakadhi Nagar,
Chennai - 600 001.
3. The Superintendent of Wakfs,
Tamilnadu Wakf Board,
No.12, Kilathar Street,
Trichy Region, Trichy-2.

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent herein to consider and pass orders on the representation of the petitioner dated 29.01.2018 for extension of the tenure of the Ad-hoc Committee already been appointed by the respondents till the regular office bearers taking the charge of the office of the petitioner for the administration of the petitioner and its properties.

For Petitioner : Mr.D.Baskar

For Respondents: Mr.Mohammed Aseef

O R D E R

By consent of both parties, this Writ petition is taken up for final disposal at the admission stage itself.

2. This Writ Petition is filed by the petitioner seeking a direction to the second respondent herein to consider and pass orders on his representation dated 29.01.2018 for extension of the tenure of the Ad-hoc Committee already been appointed by the respondents till the regular office bearers taking the charge of the office of the petitioner for the administration of the petitioner and its properties.

3. It is stated that the first respondent herein constituted an interim Ad-hoc Committee and thereby appointed 9 persons including the petitioner as the Vice President of the petitioner/Wakf for a period of one year to administer and manage the petitioner/Wakf and its properties. Subsequently, on 03.01.2015, the petitioner made a representation to the respondents praying for an order to extend the Ad-hoc Committee already been appointed by the respondents till the regular office bearers taking the charge of the office of the petitioner for the administration of the petitioner/Wakf and its properties. Pursuant to the representations, Ad-hoc Committee was extended for a further period till 17.02.2018. As the tenure of the Ad-hoc Committee expires on 17.02.2018, the president of the Ad-hoc Committee made a representation dated 29.01.2018 to the second respondent requesting to extend the tenure of the existing Ad-hoc Committee for a further period of 2 years from 17.02.2018, but, so far no order has been passed by the second respondent. Hence, the petitioner is before this Court.

4. Heard the learned counsel appearing on both sides.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the respondents to consider the petitioner's representation dated 29.01.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
Tamilnadu Wakf Board,
No.1, Jaffer Sarang Street,
Vallal Seethakadhi Nagar,
Chennai - 600 001.
2. The Chief Executive Officer,
Tamilnadu Wakf Board,
No.1, Jaffer Sarang Street,
Vallal Seethakadhi Nagar,
Chennai - 600 001.
3. The Superintendent of Wakfs,
Tamilnadu Wakf Board,
No.12, Kilathar Street,
Trichy Region, Trichy-2.

+1cc to M/s.R.Thamarai Selvan, Advocate, S.R.No.8825

W.P.No.3048 of 2019

CP(CO)

rrs 27/02/2019