

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 7137 of 2019

M. Mohamed Dawood

.. Petitioner

-vs-

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Second Respondent to consider the Petitioner's Representation dated 15.12.2014 by appointing him as the Hereditary Trustee of Zainab Bi Wakf, Registered in GS.No. 241/A6/Mds.

For Petitioner : Mr. T. Velumani

For Respondents: Mr. V. Lakshminarayanan

O R D E R

This Writ Petition had been filed for a direction to the Second Respondent to consider the representation dated 15.12.2014 made by the Petitioner by appointing him as the Hereditary Trustee of Zainab Bi Wakf, Registered in GS.No. 241/A6/Mds.

2. It is brought to the notice of this Court by the Learned Standing counsel appearing for the Respondents that by G.O. Ms. No. 363, Backward Classes, Most Backward Classes and Minorities

Welfare Department dated 18.09.2019, the Government of Tamil Nadu superseded the Tamil Nadu Waqf Board for a period of six months and in exercise of the powers conferred under Clause (b) to Sub Section (2) to Section 99 of the Waqf Act, 1995, the Government of Tamil Nadu has appointed a Special Officer to exercise and perform all the powers and duties under the provisions of the Waqf Act, 1995, on behalf of the Waqf Board during the period of super session. In view of the same, Learned Standing Counsel appearing for the Respondents has filed a memo dated 21.11.2019 stating that the Special Officer may be directed to pass orders on the representation dated 15.12.2014 made by the Petitioner.

3. Accordingly, this Court without expressing any view on the correctness and entitlement of the claim made by the Petitioner, directs the Special Officer, Tamil Nadu Waqf Board to consider the said representation and after affording full opportunity of hearing to all the concerned parties and pass reasoned orders on merits and in accordance with law and communicate the decision taken to the concerned parties under written acknowledgment, and a report of such compliance shall be filed before the Registrar (Judicial) of this Court by 31.03.2020.

4. The Writ Petition is disposed on the aforesaid terms. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

arb

To

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai - 600 104.

+1cc to Mr.V.Raghavachari, Advocate SR.97374

W.P. No. 7137 of 2019

KK(CO)
CB(22/01/2020)