

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.7751 of 2019

Hazarath Syed Sadik Voliyullah Dharga
and Mosque Trust,
Rep. by its Managing Trustee,
Mr.S.Ajaz,
No.498 and 499, Syed Sadiq Nagar,
Mangadu,
Chennai - 600 122. Petitioner

Vs.

1. The Director of Town Panchayat,
Directorate of Town Panchayat,
Kuralagam,
Chennai - 600 108.
2. The Assistant Director of Town Panchayat,
Kancheepuram Zone,
Kancheepuram.
3. The Executive Officer,
Mangadu Town Panchayat,
Chennai - 600 122. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a WRIT OF MANDAMUS, directing the respondents to effect name transfer in the Property Assessment of the Petitioner Trust in the name of the present Managing Trustee.

For Petitioner : Mr.G.Thyagarajan

For Respondents : Mr.M.Karthikeyan,
Additional Government Pleader

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O R D E R

The petitioner has filed the Writ Petition praying to issue a WRIT OF MANDAMUS, directing the respondents to effect name transfer in the Property Assessment of the Petitioner Trust in the name of the present Managing Trustee.

2.By consent of the both the parties the writ petition is taken up for final hearing.

3.According to the learned counsel for the petitioner that Mr.S.Ajaz, was appointed as the Managing Trustee of the above mentioned trust namely Hazarath Syed Sadiq Voliyullah Dharga and Mosque. The petitioner has applied to the Electricity Board for name transfer to be effected in the property Assessment pertaining to the Petitioner's Trust. The Managing Trustee made an application to the respondent Panchayat to effect the above said name transfer. To that effect he made a representation on 02.11.2018 to the second respondent and 26.12.2018 to the first and third respondents in this regard and an award has been passed. Hence, he filed the present Writ Petition.

4.The learned Government Pleader submitted that this Court has directed to take notice for the respondents. According to the learned Government Pleader, the said representation is pending and the same shall be considered on merits and appropriate orders will be passed.

5.Without going into the merits of the case, this Court is inclined to direct the respondent Panchayat to consider the petitioner's representation dated 26.12.2018, on merits and in accordance with law, after giving an opportunity to the petitioner and the interested persons.

6.It is needless to say that the petitioner has to enclose a copy of the representation dated 26.12.2018, along with the necessary documents and the order copy of this Court, to the respondent respondents.

7.Accordingly, the writ petition is disposed of with the above direction. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Director of Town Panchayat,
Directorate of Town Panchayat,
Kuralagam,
Chennai - 600 108.
2. The Assistant Director of Town Panchayat,
Kancheepuram Zone,
Kancheepuram.
3. The Executive Officer,
Mangadu Town Panchayat,
Chennai - 600 122.

+1 cc to Mr.G.Thyagarajan, Advocate, S.R.No.25600

+1 cc to the Government Pleader, S.R.No.28035

W.P.No.7751 of 2019

BR(CO)
SSM(29/03/2019) .



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