

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11741 of 2019

Mohammed Uwise

... Petitioner

Vs.

1.The Tamil Nadu Waqf Board
Rep. by its Chief Executive Officer
No.1, Jaffer Syrang Street
Vallal Seethakadhi Nagar
Mannady, Chennai-600 001.

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

3.The Executive Officer
Ahle Hadees Jamath Pallivasal
Melpattambakkam
Panruti Taluk
Cuddalore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to conduct enquiry in W.E.A. (Waqf Enquiry application) No.3 of 2019 and to dispose the same within the stipulated period.

For Petitioner : Mr.A.Ajimath Begam

For Respondents : Mr.V.Lakshminarayanan
For R1 & R2

O R D E R

Mr.V.Lakshminarayanan, learned counsel takes notice for the respondents 1 & 2. Since this writ petition is being disposed of without affecting the interest of the third respondent, notice to the said respondent is dispensed with.

2. The petitioner seeks for a mandamus directing the first respondent to conduct enquiry in W.E.A.No.3 of 2019 and to dispose the same.

3. Heard both sides.

4. It is seen that the subject matter Waqf was taken under the direct management by the Board as early as on 14.03.2013. It is stated that the said direct management cannot continue after the period of five years. Therefore, the petitioner made an application to conduct enquiry and select the proper Muthavalli or committee. Such application filed by the petitioner in W.E.A.No.3 of 2019 is said to be pending. Therefore, the present writ petition is filed for the relief as stated supra.

5. This Court, at this stage is not expressing any view on the merits of the claim made by the petitioner, as it is for the respondents 1 & 2 to consider and decide the same. Thus, this Writ Petition is disposed of, only by directing the respondents 1 & 2 to consider the said application and pass appropriate orders on the same on merits and in accordance with law, after hearing all the parties concerned, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

mk

Sub Assistant Registrar

To

1.The Chief Executive Officer
The Tamil Nadu Waqf Board
No.1, Jaffer Syrang Street
Vallal Seethakadhi Nagar
Mannady, Chennai-600 001.

2.The Chief Executive Officer
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3.The Executive Officer
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Panruti Taluk
Cuddalore District.

+1 cc to M/s.A.Ajimath Begam, Advocate, S.R.No.40919

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RK(CO)
SSM(29/04/2019) .



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