

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 21.11.2019

CORAM

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

W.P. No. 12978 of 2019

and

W.M.P. No. 13127 of 2019

M. Abdul Rahim

... 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.
3. The Election Observer/The Superintendent of Wakf,  
Poonamallee Zone,  
Office of the Superintendent of Wakf,  
No.133, Dr. Besant Road - Ice House,  
Triplicane, Chennai - 600 005.
4. M. Sheik Dawood,  
Self Style President,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Masjid Al Haramain,  
Mosque Street, Vallal Yusuf Nagar,  
Selaiyur, Chennai - 600 073.
5. S.A. Abdul Rahman,  
Self Style Secretary,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Masjid Al Haramain,  
No.67, Vallal Yusuf Nagar,  
Selaiyur, Chennai - 600 073.
6. K. Mohamad Ismail,  
Self Style Treasurer,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Masjid Al Haramain,  
No.44, Vallal Yusuf Nagar,  
Selaiyur, Chennai - 600 073.

7. H. Abdul Salam,  
Self Style Vice President,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Masjid Al Haramain,  
No.102, Vallal Yusuf Nagar,  
Selaiyur, Chennai - 600 073.
8. A. Zafarulla Khan,  
Self Style Assistant Secretary,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Masjid Al Haramain,  
No.1, 4<sup>th</sup> Street, Dr. Radhakrishnan Salai,  
Kailasapuram, Mylapore,  
Chennai - 600 004.
9. H. Syed Siraj Ahmed,  
Self Style Executive Committee Member,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Masjid Al Haramain,  
No.88, Vallal Yusuf Nagar,  
Selaiyur, Chennai - 600 073.
10. B. Fazlul Huq,  
Self Style Executive Committee Member,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Masjid Al Haramain,  
No.42, Vallal Yusuf Nagar,  
Selaiyur, Chennai - 600 073.
11. A. Abdul Razack,  
Self Style Executive Committee Member,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Masjid Al Haramain,  
No. 53, Vallal Yusuf Nagar,  
Selaiyur, Chennai - 600 073.
12. M. Abdul Salam,  
Self Style Executive Committee Member,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Masjid Al Haramain,  
No. 97-B, Vallal Yusuf Nagar,  
Selaiyur, Chennai - 600 073.

13. A.S. Abdul Wahab,  
Self Style Executive Committee Member,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Masjid Al Haramain,  
No. 1, Jaffer Syrang Street,  
Vallal Seethakathi Nagar,  
Chennai - 600 001.

14. M.Y. Hyder Ali,  
Self Style Executive Committee Member,  
Tamil Nadu Wakf Board Employees' Colony Mosque,  
Wakf Inspector/Nagapattinam,  
Office of the Superintendent of Wakf,  
Tanjore Zone, Tanjore. ... 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 representations dated 13.04.2019 and 16.04.2019 and pass appropriate orders after giving due notices and opportunities and personal hearing to all concerned parties.

For Petitioner : Mr. A. Ilaya Perumal

For R1 to R3 : Mr. V. Lakshminarayanan

For R4 to R14 : Mr. G. Sivakumar

#### O R D E R

This Writ Petition had been filed for a direction to the Second Respondent to consider the representations dated 13.04.2019 and 16.04.2019 made by the Petitioner by appointing him as the Hereditary Trustee of Zainab Bi Waqf bearing registration 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 supersession. 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 representations dated 13.04.2019 and 16.04.2019 made by the Petitioner.

3. Accordingly, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, directs the Special Officer, Tamil Nadu Waqf Board to consider the said representations and after affording full opportunity of hearing to all the concerned parties and pass reasoned orders on merits 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. Consequently, connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//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.
3. The Election Observer/The Superintendent of Wakf,  
Poonamallee Zone,  
Office of the Superintendent of Wakf,  
No.133, Dr. Besant Road - Ice House,  
Triplicane, Chennai - 600 005.

4.The Special Officer,  
Tamil Nadu Wakf Boar,  
No.1, Jaffer Sqrang Street,  
Vallal Seethakathi Nagar,  
Chennai-600 001.

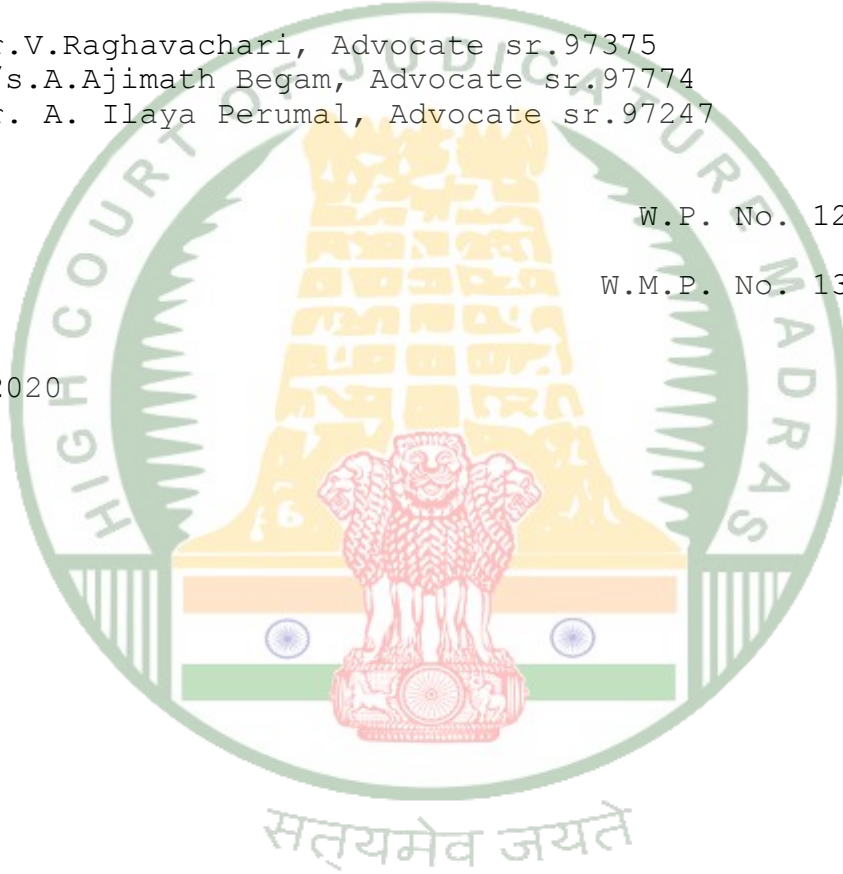
Copy to

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

+1cc to Mr.V.Raghavachari, Advocate sr.97375  
+2cc to M/s.A.Ajimath Begam, Advocate sr.97774  
+1cc to Mr. A. Ilaya Perumal, Advocate sr.97247

W.P. No. 12978 of 2019  
and  
W.M.P. No. 13127 of 2019

nmi (co)  
nr 28/01/2020



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