

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P. No. 33135 of 2018

Dr.A.B.D.Badushas

... Petitioner

Vs.

1.The Government of Tamil Nadu
Represented by its Secretary
Back Ward and Most Back Ward Minority Welfare Department
Fort St. George, Chennai - 600 009.

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

3.Tamil Nadu Wakf Board
Rep by its Chairman
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai - 600 001.

4.Mr.F.Syed Ameenuddin

... Respondents

Prayer :: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 29.04.2016 to disqualify the 4th respondent Mr.F.Syed Ameenuddin, as Pangali Trustee of Hazarath Thable Alam Badusha Nathar Owliya Dargah, Madurai Road, Tiruchirapalli.

For Petitioner : Mr.T.Velumani

For Respondents : Mr.V.Prabhu, Government Advocate [For R1]
Mr.V.Lakshminarayanan [For R2&R3]
Mr.R.Rajaraman [For R4]

O R D E R

The petitioner seeks for a mandamus directing the second respondent to consider the petitioner's representation dated 29.04.2016 to disqualify the fourth respondent as Pangali Trustee of Hazarath Thable Alam Badusha Nathar Owliya Dargah, Madurai Road, Tiruchirapalli.

2.Heard both sides.

3.The petitioner claims to be one of the Public Trustees appointed to the subject matter of the Trust. According to the petitioner, the fourth respondent is not qualified to function as Pangali Trustee. By making such claim, the petitioner had alleged certain irregularities against the fourth respondent.

4.On the other hand, the fourth respondent by filing counter affidavit disputes the allegation made by the petitioner.

5.This Court, at this stage, is not expressing any view on the counter claim made by the respective parties, namely, the petitioner and the fourth respondent, as admittedly, the representation made by the petitioner dated 29.04.2016 is to be considered and decided by the second respondent-Board after hearing both parties.

6.Therefore, without expressing any view, this writ petition is disposed of, only by directing the second respondent to consider the representation of the petitioner dated 29.04.2016 and pass orders on the same on merits and in accordance with law after hearing the petitioner and the fourth respondent. Such exercise shall be done by the second respondent as expeditiously as possible, in any event within a period of four months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

maya/sni

To

1.The Secretary
Back Ward and Most Back Ward Minority Welfare Department
Fort St. George, Chennai - 600 009.

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

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

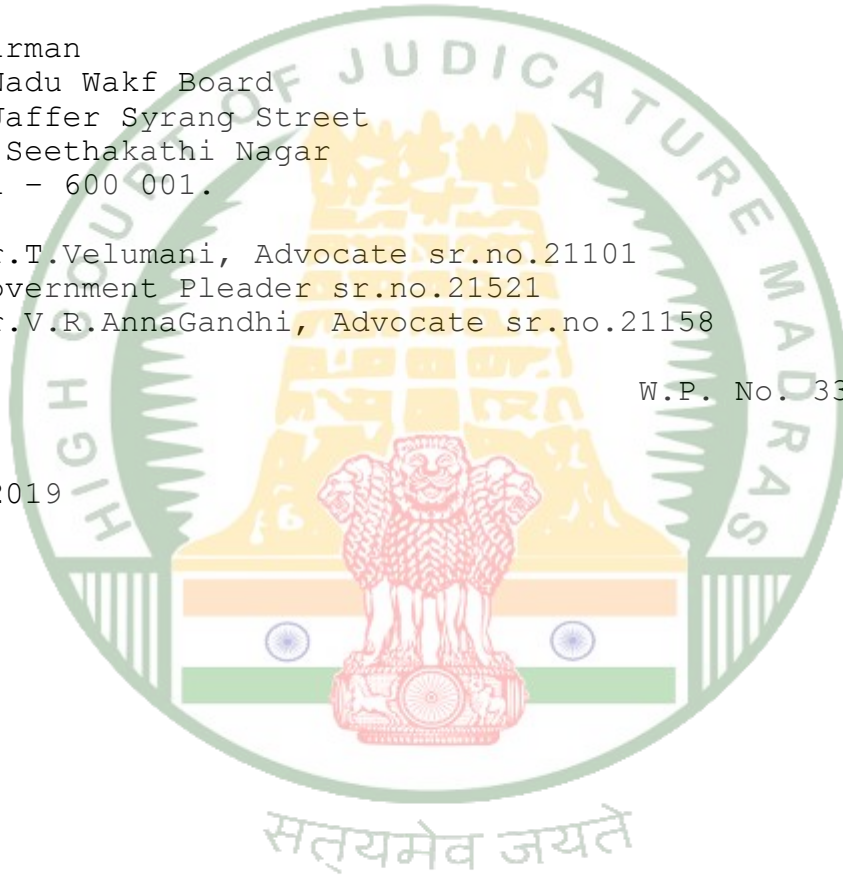
+1cc to Mr.T.Velumani, Advocate sr.no.21101

+1cc to Government Pleader sr.no.21521

+1cc to Mr.V.R.AnnaGandhi, Advocate sr.no.21158

W.P. No. 33135 of 2018

rsv(co)
nr 05/04/2019



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