



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.3933 of 2019

WEB COPY

A.Sharafath Ali

... Petitioner

Vs

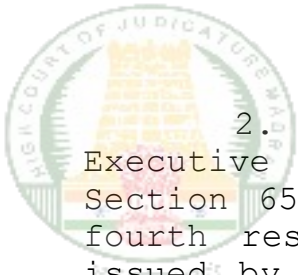
- 1.The Chairman,
Tamil Nadu Wakf Board,
No.1, Jabar Siras Street,
Vallal Seethakathi Nagar,
Excise House Back Side,
Chennai.
- 2.The Principal Secretary,
Tamil Nadu Wakf Board,
No.1, Jabar Siras Street,
Vallal Seethakathi Nagar,
Excise House Back Side,
Chennai.
- 3.The Superintendent,
Tamil Nadu Wakf Board,
No.12, Kilethar Street,
Trichy-2.
- 4.The President,
Sheik Ismail Subedhar Pallivasal,
Urayur, Trichy-3.
- 5.The Secretary,
Sheik Ismail Subedhar Pallivasal,
Urayur, Trichy-3.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct third respondent to take over the administration of Sheik Ismail Subedhar Pallivasal, Urayur, Trichy-3 in compliance with the order of the first and second respondents dated 12.10.2018 based on the representation of the petitioner dated 03.01.2019.

For Petitioner : Mr.B.Prasanna Vinoth
For R1 to R3 : Mr.T.S.Mohammed Mohideen
For R4 & R5 : Mr.R.Sundar

ORDER



2. On 10.07.2018, the District Revenue Officer/Chief Executive Officer of Tamil Nadu Wakf Board passed an order under Section 65 of the Wakf Act for taking over the management of the fourth respondent Pallivasal. That was followed by a direction issued by the second respondent on 12.10.2018. The petitioner's grievance is that till date, the said order has not been complied with. Hence, the writ petition came to be filed.

3. When the matter was taken up for hearing, the learned counsel appearing for the respondents 4 and 5/Pallivasal submitted that the appeal has been filed on 23.10.2018 before the Government.

4. This Court wanted to know from the learned counsel if any stay has been obtained in the said appeal. The learned counsel submits that the appeal is still pending, but no interim order has been granted till date.

5. This Court, therefore, directs the third respondent to act in terms of the aforesaid orders dated 10.07.2018 and 12.10.2018, if the respondent Pallivasal is unable to obtain any interim order of stay from the Government in the pending appeal, within a period of eight weeks from the date of receipt of a copy of this order.

6. With this direction, the writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

TO

+1cc to Mr.B.PRASANNA VINOTH, Advocate, SR.No. 60780

+1cc to Mr.T.S.Mohammed Mohideen, Advocate, SR.No. 60628

+1cc to Mr.R.Sundar, Advocate, SR.No. 60497

W.P. (MD) No. 3933 of 2019

RMK

KK/SAR/15.04.2019/ 2P- 4C