



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.12.2019
CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P. (MD).No.14834 of 2015

M.Mohamed Hussain

.. Petitioner

Vs.

1.Tamilnadu Wakf Board,
represented by Chief Executive Officer,
Jaffar Sirnag Road,
Vallal Seethakathi Nagar,
Chennai.

2.The Chairman,
Tamilnadu Wakf Board,
Jaffar Sirnag Road,
Vallal Seethakathi Nagar,
Chennai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner, dated 21.07.2015 within a stipulated time.

For Petitioner	:	Mr.T.R.Jeyapalam
For Respondents	:	Mr.K.K.Senthil

ORDER

This writ petition is filed for issuance of writ of Mandamus directing the respondents to consider the petitioner's representation, dated 21.07.2015, within the stipulated time.

2.The petitioner states that he is a member of the Wakf, which is known as General Bazar Pensioner Theru Pallivasal. The petitioner claims that he belongs to the family, which has shown more interest in the Wakf and its welfare. In the representation, he has stated about some irregularities in the administration of property owned by the Darga. The Darga is not named anywhere in the petition. Pallivasal cannot be a Darga as there are two different religious Wakfs. Several irregularities has been stated in the representation as against certain individuals. Hence, the representation was to the effect that none of the persons referred to in the representation should be appointed to hold any office in the Wakf. The representation however does not contain the relevant



details about the notified wakf and its properties. However, the learned counsel appearing for the wakf board has no instructions with regard to the existence or non existence of the members as alleged in the representation.

3. In the above circumstances, the petitioner is permitted to submit a fresh representation indicating the name of the trust as registered under the Wakf Act. The irregularities or illegalities alleged to have been committed by the individuals should be specific so as to attract any of the provisions under Section 64 of the Wakf Act. On such representation being submitted by the petitioner in the manner known to law, the respondents shall take appropriate action against the persons who are responsible for the irregularities either under Section 64 of Wakf Act or under Section 70 of the Wakf Act, 1995 after holding an enquiry and hearing all persons interested.

4. With the above observations, this writ petition is closed. No costs.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

Sub Assistant Registrar(CS)

TM

To

1. The Chief Executive Officer,
Tamilnadu Wakf Board,
Jaffar Sirnag Road,
Vallal Seethakathi Nagar,
Chennai.

2. The Chairman,
Tamilnadu Wakf Board,
Jaffar Sirnag Road,
Vallal Seethakathi Nagar,
Chennai.

+1 CC to Mr.T.R.JEYAPALAM, Advocate (SR-104050[F] dated 09/12/2019)

W.P.(MD).No.14834 of 2015
06.12.2019

MK (30.12.2019) 2P 4C