

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.1255 of 2020

Shokkath Ali

... Petitioner

..Vs..

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

...Respondent

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the representation dated 11.10.2019 within a stipulated time and thereby register the Nawab Masjid Waqf of Girandipuram Village, Karuvambakkam Post, Tindivanam Taluk, Villupuram District under Section 36 of the Waqf Act 1995.

For Petitioner : Mrs.A.Ajimath Begam

For Respondents : Mr.G.Mohamed A suji

O R D E R

The petitioner has filed the present writ petition in the nature of mandamus seeking a direction to the respondent to consider the representation of the petitioner dated 11.10.2019 and register the Nawab Masjid Waqf of Girandipuram Village, Karuvambakkam Post, Tindivanam Taluk, Villupuram District under Section 36 of the Waqf Act 1995.

2. In the affidavit filed in support of the petition, the petitioner has claimed that he is the person interested in the in the Waqf as defined under Section 3(k)(i) of the Waqf Act. It is stated that the Waqf Board properties are measuring about 7.6 acres. He claims that he is performing daily Namaz in the Nawab Masjid and the Masjid is maintained by a Muthawalli. It is stated that the respondent Board should register the properties of the said Waqf.

3. In this connection, he had made a representation on 11.10.2019 to register the Nawab Masjid Waqf of Girandipuram Village, Karuvambakkam Post, Tindivanam Taluk, Villupuram District under Section 36 of the Waqf Act 1995.

4. Mr.G.Mohammed A Suji, learned counsel who takes notice on behalf of the respondent states that though the Chief Executive Officer is mentioned under Section 36 of the Waqf Act, the Superintendent of Waqf Board in Villupuram District will have to make an enquiry regarding the same.

5. In view of the above, a direction is issued to the respondent to dispose of the representation, after issuing notice to the petitioner and to any other person interested in Waqf, calling for an enquiry, granting them permission to adduce documentary or oral evidence as require and then pass orders based on reasons on or before 30.04.2020.

6. With the above observations, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

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

+1cc to Ms.A.Ajimath Begam, Advocate Sr.5168

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srg 27/01/2020