

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2020

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.9344 of 2020

and

W.M.P.Nos.11429 &11431 of 2020

D.Suraiya Banu  
W/o Y.Dasthagir

... Petitioner

Vs

1. The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
No.1, Jaffar Syrang Street,  
Vallal Seethakathi Nagar,  
Mannady, Chennai - 600 001.
  2. The Superintendent of Wakfs  
Cuddalore Zone,  
Chidambaram - 608 001  
Cuddalore District.
  3. The Deputy Superintendent of Police,  
Chidambaram Town Police Station,  
Chidambaram - 608 001, Cuddalore District.
  4. The Inspector of Police,  
Chidambaram Town Police Station,  
Chidambaram - 608 001.  
Cuddalore District.
  5. Kalvikkarasan  
S/o Murugesan  
No.58A, Vellapirandhan Street,  
Chidambaram - 608 001  
Cuddalore District.
- ... Respondents

Prayer: Writ Petition filed under Section Article 226 of the Constitution of India praying Writ of Mandamus to direct the 1<sup>st</sup> respondent to hear and dispose of the representation dated 12.07.2019 pertaining to the appointment of the petitioner as hereditary Muthavali of the Chidambaram Mammutti Fakir Dargah Wakf in accordance with law within a time frame as fixed this Court.

For Petitioner : Mr.R.Abdul Mubeen  
For Respondents : Mr.Haja Mohideen Gisthi,  
Standing Counsel for R1 & R2  
Mr.R.Govindasamy,  
Special Government Pleader  
for R3 & R4

O R D E R

This matter is taken up for hearing through Video-Conferencing mode.

2. Mr.Haja Mohideen Gisthi, learned Standing Counsel takes notice for the respondents 1 and 2. Mr.R.Govindaswamy, learned Special Government Pleader takes notice for the respondents 3 and 4. Going by the prayer sought for in this writ petition, it is seen that the 5<sup>th</sup> respondent is an unnecessary party. Hence, this writ petition is disposed of without issuing notice to the 5<sup>th</sup> respondent.

3. The petitioner seeks for a Mandamus, directing the 1<sup>st</sup> respondent to consider her representation dated 12.07.2019, wherein and whereby, she sought for herself to be appointed as hereditary Muthavali of the subject matter Wakf.

4. The grievance of the petitioner is that the 1<sup>st</sup> respondent has not considered the said representation so far.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the 1<sup>st</sup> respondent to consider and pass orders on merits and in accordance with law. Therefore, this Writ Petition is disposed of only with a direction to the 1<sup>st</sup> respondent to consider the said representation dated 12.07.2019 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner and other interested parties, if any. Such exercise shall be done by the 1<sup>st</sup> respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD I MDU)

//True Copy//

Sub Assistant Registrar

vsi/vri

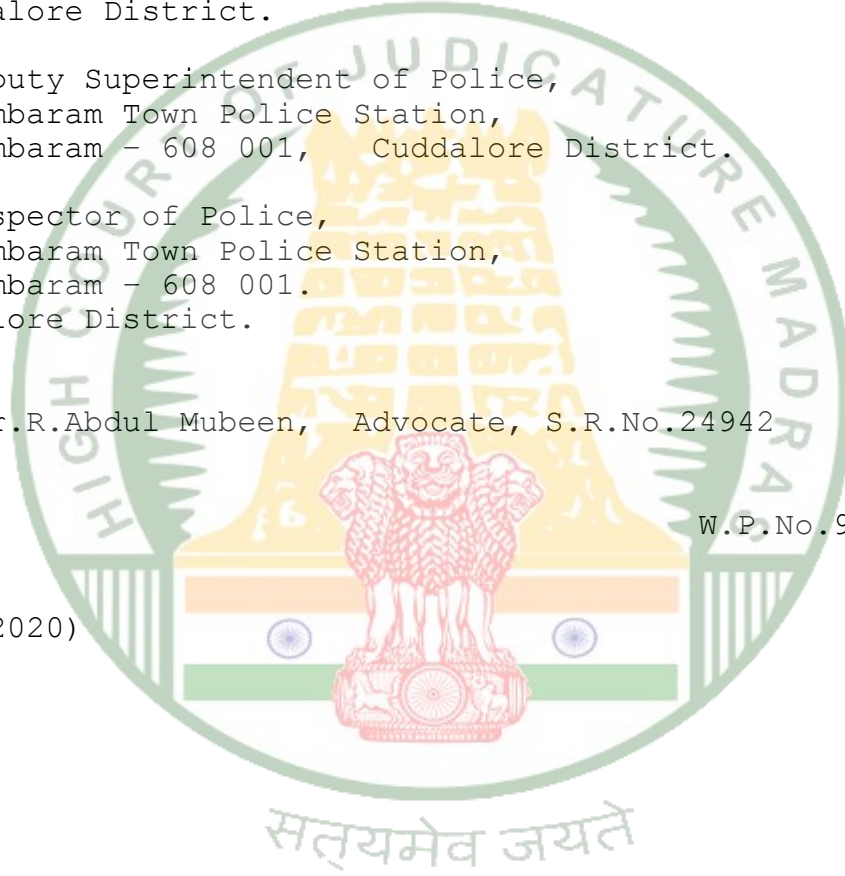
To

1. The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
No.1, Jaffar Syrang Street,  
Vallal Seethakathi Nagar,  
Mannady, Chennai - 600 001.
2. The Superintendent of Wakfs  
Cuddalore Zone,  
Chidambaram - 608 001  
Cuddalore District.
3. The Deputy Superintendent of Police,  
Chidambaram Town Police Station,  
Chidambaram - 608 001, Cuddalore District.
4. The Inspector of Police,  
Chidambaram Town Police Station,  
Chidambaram - 608 001.  
Cuddalore District.

+1cc to Mr.R.Abdul Mubeen, Advocate, S.R.No.24942

W.P.No.9344 of 2020

RLD(CO)  
GN(06/08/2020)



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