

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.08.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.10797/2020

E.Khader Sherif

.. Petitioner

Versus

The Tahsildhar
Tondiarpet taluk
Chennai.

.. Respondent

Prayer:-Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent herein to issue patta in favour of the petitioner for the property comprised in S.No.3126, Block No.47, bearing Municipal Door No.1, Sheik Maistry Street, Tondiarpet Taluk, Royapuram, Chennai 600 013 based on the online application vide No.2019/0153/02/009284 dated 09.12.2019.

For Petitioner :Mr.K.Ramkumar

For Respondent :Mr.E.Balamurugan, Spl.GP

ORDER

- (1) This writ petition has been filed for the issue of a writ of mandamus directing the respondent to consider the application submitted by the petitioner on 09.12.2019 and to issue patta in favour of the Wakf in which the petitioner is claiming to be the Hereditary Muthavalli.
- (2) The case of the petitioner is that the Wakf is a registered Wakf and it is under the supervisory control of the Tamil Nadu Wakf Board. There was some dispute with regard to the management of the Wakf and the petitioner had claimed herself to be the Muthavalli. The further case of the petitioner is that the application filed by her was rejected by the Wakf Tribunal by an order dated 30.04.2008 and it was challenged before this Court in CRP [NPD] No.1857/2009 and this Court, vide order dated 27.03.2017, set aside the order of the Wakf Tribunal and had recognised the petitioner as the Hereditary Muthavalli. According to the petitioner, this order was also confirmed by the Hon'ble Supreme Court of India.
- (3) The petitioner submitted an online application on 09.12.2019 seeking for the transfer of patta in the name of Wakf. Since the same was not considered till date, the present writ petition has been filed before this Court seeking for

appropriate direction.

(4) Heard Mr.K.Ramkumar, learned counsel for the petitioner and Mr.E.Balamurugan, learned Special Government Pleader accepting notice on behalf of the respondent.

(5) Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the respondent to consider the online application submitted by the petitioner on 09.12.2019 and deal with the same strictly in accordance with law and pass final orders within a period of six weeks from the date of receipt of a copy of this order. The respondents shall issue notice to all the other interested parties before passing final orders. The petitioner is directed to submit a copy of the online application dated 09.12.2019 to the respondents along with all the relevant documents and also a copy of this order.

(6) This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To
The Tahsildhar
Tondiarpet taluk
Chennai.

+1 cc to The Government pleader, Sr.No. 27277

सत्यमेव जयते

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