

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2020

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.32025 of 2019

S.Masjid

... Petitioner

vs

1. The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
No.1, Jaffer Syrang Street,  
Vallal Seethakathi Nagar,  
Chennai - 1.

2. Masjid E.Maqdoomi,  
Rep. by Committee,  
Sembudoss Street,  
Mannady,  
Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the 1st respondent to consider and pass orders on the representation dated 18.10.2019 seeking to recover the wakf properties and to conduct elections to the Masjid E.Maqdoomi Wakf.

For Petitioners : Mr.N.A.Nissar Ahmed

For Respondents : Mr.V.Lakshminarayanan  
for R1

Mr.A.Mohammed Ismail  
for R2.

ORDER

The prayer sought for in this writ petition is for a Mandamus directing the 1st respondent to consider the representation of the petitioner dated 18.10.2019, wherein and whereby, he sought to recover the Wakf properties and conduct election to the 2nd respondent Wakf.

2. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as the simple prayer sought for in this writ petition is to consider the representation of the petitioner.

3. Mr.V.Lakshminarayanan, learned counsel appearing for the 1st respondent submitted that a Special Officer is appointed to the 1st respondent Wakf and therefore, he will conduct enquiry and pass appropriate orders on the representation made by the petitioner, after giving due opportunity of hearing to all the parties.

4. Learned counsel appearing for the 1st and 2nd respondents submitted that they would cooperate with the Special Officer in disposing the representation.

5. Considering the above stated facts and circumstances and without expressing any view on the merits of the claim made by the respective parties, the Writ Petition is disposed of only by directing the Special Officer of the 1st respondent Board to consider the representation of the petitioner dated 08.10.2018 and pass orders on the same on merits and in accordance with law after giving opportunity to the petitioner, the 2nd respondent and other interested parties, if any. Such exercise shall be done by the Special Officer of the 1st respondent Board within a period of four weeks from the date of receipt of a copy of this order. No costs.

-s/d-

Assistant Registrar

//True Copy//

Sub-Assistant Registrar

vsi

To

1. The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
No.1, Jaffer Syrang Street,  
Vallal Seethakathi Nagar,  
Chennai - 1.

+1cc to Mr.V.Raghavachari, Advocate in sr.no.18147

+1cc to Mr.N.A. Nissar Ahmed, in sr.no.18473

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CS(27/05/2020)