

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.5065 of 2020

ORDER

This writ petition is filed seeking the following relief:

“to pass an order to issue an appropriate writ, direction or order more particularly a Writ of Mandamus directing/declaring the action of the respondents in not considering the representation of the petitioner dated 3.12.2019 as being illegal, arbitrary and are in violation of Wakf Deed and also Articles 14 and 21 of the Constitution of India and consequently direct the 2nd respondent to consider the representation of the petitioner dated 3.12.2019 and pass such other order or orders which this Hon'ble Court deems fit and proper in the circumstances of the case.”

Heard learned counsel on either side.

It is the case of the petitioner that her husband was appointed as Muthawali and certain benefits were conferred on her husband by way of Wakf Deed. Thereafter, her husband expired. Hence, she submitted a representation to the respondents on 3.12.2019 requesting them to confer the said benefits on her. But, so far, the respondents have not passed any orders on the said representation.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation dated 3.12.2019 submitted by the petitioner.

Learned Government Pleader as well as learned Standing Counsel appearing for the respondents contended that since the representation dated 3.12.2019 submitted by the petitioner is pending with the respondents, the respondents would consider the same, and pass appropriate orders, in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation dated 3.12.2019 submitted by the petitioner and pass appropriate orders, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 06.03.2020

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