



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.12689 of 2016

E.Kosal Ram

....Petitioner

Versus

- 1.The Chair Person,  
Tamil Nadu Wakf board,  
No.1 Jafar shirong Street  
Vallai Seethakathi Nagar  
Chennai -600 001
2. Tamil Nadu Wakf board,  
rep.By its Chief executive officer  
No.1 Jaafar serong Street  
Vallai Seethakathi Nagar  
Chennai -600 001
3. Regional Deputy Commissioner (North)  
Corporation of Chennai, Zone - V  
Chennai - 3
4. The Executive Engineer (North)  
Zone - V, Corporation of Chennai,  
Chennai - 3
5. J.Sadbar Hussain
6. H.Ali Khan

...Respondents

Prayer: Writ Petition has been filed under the Article 226 of the Constitution of India, pleaded to issue a writ of Mandamus direct the Second Respondent to consider the representations of the petitioner dated 18.03.2013. 26.03.2013 and 30.11.2015 relating Khadervali Janda Wakf and its properties bearing Old No.54, New No.50, P.V.Iyer Street, George Town, Chennai - 600 001; for administration and restoring the tomb of saint, Khadervali Janda Wakf Under sections 70 and 71 of the Wakf Act, 1995 in accordance with law.

For Petitioner  
For Respondents

: Mr. P. Haribabu  
: Mr. V. Lakshmi Narayanan  
(R1 to R4)  
RR5, 6, No appearance



## ORDER

The relief sought in this writ petition is to direct the second respondent to consider the petitioner's representations dated 18.03.2013, 26.03.2013 and 30.11.2015 and take appropriate action for administration of Khadervali Janda Wakf and its properties situated in bearing Old No.54, New No.50, P.V.Iyer Street, George Town, Chennai - 600 001 and restoration of the tomb of saint, under Sections 70 and 71 of the Wakf Act, 1995.

2. According to the learned counsel for the petitioner, who is a tenant in respect of the shop in the wakf properties, the fifth respondent claiming himself to be the owner of the buildings, has made unauthorised constructions in the wakf properties through sixth respondent, and leased out the same to several persons, after excavating the tomb of the saint, thereby converting the place of the public wakf into the properties of his own. Hence, the petitioner made several representations to the respondents 1 and 2 to take action against the fifth respondent, administer the wakf properties and restore the tomb of the saint. However, none of the representations yielded any fruitful result, which compelled the petitioner to file this writ petition for the aforesaid relief.

3. On the other hand, the learned counsel appearing for the respondent authorities submitted that the representations said to have been sent by the petitioner, are not made available and hence, he may be directed to furnish a copy of the said representation for consideration of the respondent authorities on merits, within a time frame to be stipulated by this court.

4. In view of the above submission made by the learned counsel for the respondent authorities, which has also been agreed upon by the learned counsel for the petitioner, this court directs the petitioner to submit a copy of the latest representation to the second respondent, along with a copy of this order, within a period of two weeks from the date of receipt of this order. On such submission, the second respondent shall consider the same, if not considered earlier, and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter.

5. Accordingly, this writ petition stands disposed of. No costs.

msr

-SD/-  
Assistant Registrar

True Copy

Sub-Assistant Registrar



To

1. The Chair Person,  
Tamil Nadu Wakf Board,  
No.1 Jafar shirong Street  
Vallai Seethakathi Nagar  
Chennai -600 001

2. The Chief Executive Officer  
Tamil Nadu Wakf Board,  
No.1 Jaafar serong Street  
Vallai Seethakathi Nagar  
Chennai -600 001

3. The Regional Deputy Commissioner (North)  
Corporation of Chennai, Zone - V  
Chennai - 3

4. The Executive Engineer (North)  
Zone - V, Corporation of Chennai,  
Chennai - 3

+1 C.C. To M/S.P.HARI BABU, Advocate SR.NO. 46079/2021

+1 C.C. To M/S.V.LAKSHMINARAYANAN, Advocate SR.NO. 46322/2021

W.P.No.12689 of 2016

CP(CO)  
TP (20/10/2021)