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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.32957 OF 2013

AND

M.P.NO.1 OF 2013

A.Akmal Basha

...Petitioner

Vs

1. The District Collector,
Krishnagiri,
Krishnagiri District.
2. Revenue Divisional Officer,
Krishnagiri District - 635 001.
3. Thasildar,
Taluk Office,
Krishnagiri - 635 001.
4. Deputy Superintendent of Police,
Krishnagiri - 635 001.
5. Inspector of Police,
Krishnagiri Police Station,
Krishnagiri - 635 001.
6. Tamilnadu WAKF Board,
No.1, Jakbar Saidram Street,
Vallal Sithiqkhadi Nagar, Chennai.
7. WAKF Superintendent,
Tamil Nadu Wakf Board,
(Incharge of Krishnagiri Dharga)
Salem Division, Salem.
8. WAKF Inspector,
Dharmapuri,
Krishnagiri Circlr,
Krishnagiri - 635 001.



9. A.Syed Nazeer

10.A.Amanullaah

11.I.Sadhik

12.M.Sabjaan

... Respondents

PRAYER :

Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 8 to take appropriate action against the respondents 9 to 12 based on the petitioner's representation dated 19.10.2013 and order to the respondents 9 to 12 hand over the incharge of the Dharga situated at Sengalthoppu, Kothapetta Village, Krishnagiri Taluk & District to the Superintendent of Wakf Board immediately.

For Petitioner	: Mr.A.Chandrasekar
For Respondents	: Mr.C.Jayaprakash Government Advocate [For R1 to R5] Mr.S.Hajamohideen Gisthi [For R6 to R8]
No appearance	: For R10 and R12
R9 and R11	: Dismissed vide Court order dated 03.06.2015

O R D E R

The relief sought for in the present writ petition is to direct the respondents 1 to 8 to take appropriate action against the respondents 9 to 12 based on the petitioner's representation dated 19.10.2013 and order to the respondents 9 to 12 to hand over the incharge of the Dharga, situated at Sengalthoppu, Kothapetta Village, Krishnagiri Taluk & District to the Superintendent of Wakf Board immediately.

2. The petitioner states that he is a sincere devotee of an Ancient Dharga situated at Sengalthoppu, Kothapetta Village, Krishnagiri Taluk & District belongs to Tamilnadu Wakf Board.

3. The petitioner raises certain disputes regarding the management of the said Dharga. Such disputed issues cannot be adjudicated in a writ proceedings under Article 226 of the Constitution of India as it requires examination of documents, evidences including oral evidences.



4. Thus, the petitioner has to approach the Board for the purpose of resolving the issues in the manner known to law.

5. With this liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Krishnagiri,
Krishnagiri District.
2. Revenue Divisional Officer,
Krishnagiri District - 635 001.
3. Thasildar,
Taluk Office,
Krishnagiri - 635 001.
4. Deputy Superintendent of Police,
Krishnagiri - 635 001.
5. Inspector of Police,
Krishnagiri Police Station,
Krishnagiri - 635 001.
6. Tamilnadu WAKF Board,
No.1, Jakbar Saidram Street,
Vallal Sithiqkhadi Nagar,
Chennai.
7. WAKF Superintendent,
Tamil Nadu Wakf Board,
(Incharge of Krishnagiri Dharga)
Salem Division,
Salem.



8. WAKE Inspector,
Dharmapuri,
Krishnagiri Circlr,
Krishnagiri - 635 001.

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+1cc to Mr.S.Hajamohideen Gisthi, Advocate, S.R.No.57563
+1cc to the Government Pleader, S.R.No.57897

W.P.No.32957 of 2013

KSM(CO)
PM/22/11/2021