



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.08.2021

Coram

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

Writ Petition No. 16015 of 2021

M. Bashul Huck

.. Petitioner

Versus

1. The Tamil Nadu Wakf Board
rep. by its Chief Executive Officer
No.1, Jaffer Syrang Street
Mannady, Chennai - 600 001

2. Karaikudi Kattuthalai Pallivasal Waqf
represented by its Secretary
Karaikudi, Sivagangai District

.. Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the first respondent to consider his representation dated 21.04.2021 and thereby not to approve the selection made by the Superintendent of Wakf and to conduct enquiry with regard to the affairs of the second respondent Wakf.

For Petitioner : Mr. A. Ajimath Begam

ORDER

This writ petition is listed today for admission and this Court heard the learned counsel for the petitioner. Having regard to the nature of the relief sought for in this writ petition and the manner in which the writ petition is proposed to be disposed of, this Court is not inclined to issue notice to the respondents herein.

2. The petitioner claims to be a person interested in the affairs of the second respondent Wakf, as has been contemplated under Section 3 (i) of The Wakf Act, 1995. It is the contention of the petitioner that the present Secretary of the Second respondent Wakf is managing the Wakf for the past 30 years. He further contends that the accounts of the second respondent have not been subjected to audit. Further, the tenure of the management committee of the second respondent expired in the year 2020 but election to the committee has not been conducted



inspite of repeated representations. While so, on 21.03.2021, the first respondent announced that election to the second respondent is to be conducted on 08.04.2021, without providing the mandatory period of notice to the members. When the first respondent was approached by the members of the Jamath, there was no proper response. The petitioner has also sent a representation dated 21.04.2021, highlighting several short comings in the management of the second respondent Wakf, but there is no response. Therefore, the petitioner is before this Court.

3. Having regard to the nature of allegations raised by the petitioner in this writ petition, this Court, without expressing any opinion on merits, direct the first respondent to take note of those allegations contained in the representation dated 21.04.2021 of the petitioner, afford an opportunity of hearing to the petitioner, second respondent and other persons, conduct an enquiry and thereafter pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

Rsh

To

The Chief Executive Officer
The Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street
Mannady, Chennai - 600 001.

+1cc to Mr. A. Ajimath Begam, Advocate, S.R.No.37680

WP No. 16015 of 2021

RSV(CO)
CT(26/08/2021)