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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12549 of 2014

F.Nawaz

...Petitioner

Vs

1.The Tamil Nadu Wakf Board,
Rep.by its Chairman,
No.1, Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2.The Chief Executive Officer,
The Tamil Nadu Wakf Board,
No.1, Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the petitioner's Wakf Application dated 15.3.2014 by holding an enquiry in relation to mismanagement, leasing of property and maintenance of accounts of Masjid-e-Mahmood Mosque, Pudupet, Chennai in accordance with law in addition to safeguarding the aforesaid Wakf and its properties by conducting election in the presence of the officials of the respondent by way of secret ballot system in a free and democratic set up.

For Petitioner : Mr.Parthiban
For Mr.P.Haribabu

For Respondents : Mr.Mohammed Fayaz Ali
[For R1 and R2]

O R D E R

The relief sought for in the present writ petition is to direct the respondent to consider the petitioner's Wakf Application dated 15.3.2014 by holding an enquiry in relation to mismanagement, leasing of property and maintenance of accounts of Masjid-e-Mahmood Mosque, Pudupet, Chennai in accordance with



law in addition to safeguarding the aforesaid Wakf and its properties by conducting election in the presence of the officials of the respondent by way of secret ballot system in a free and democratic set up.

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2. The writ petition was filed in the year 2016. Now, six and half (6½) years lapsed, the petitioner is unable to secure instructions in respect of the present position. However, the allegation raised is regarding the mismanagement, leasing of property and maintenance of account of Masjid-e-Mahmood Mosque, Pudupet, Chennai.

3. This being the allegations, in the interest of Wakf, the respondents are bound to look into the allegations by conducting an appropriate enquiry, take a decision by following the procedures as contemplated.

4. This being the factum, the petitioner is at liberty to submit the copy of the Wakf application along with the order passed in this writ petition to the respondents and on receipt of such application or documents, the respondents shall look into the allegations, conduct enquiry and take a decision in accordance with law.

5. With this liberty, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1.The Tamil Nadu Wakf Board,
Rep.by its Chairman,
No.1, Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2.The Chief Executive Officer,
The Tamil Nadu Wakf Board,
No.1, Jafar Sirang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.



+1cc to Mr.P.Haribabu, Advocate, S.R.No.55539

W.P.No.12549 of 2014

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AJS (CO)

CB(10/11/2021)