



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 23262 of 2021

M.K. Mustafa

.. Petitioner

Versus

1. The Principal Secretary to the Government
Backward, Most Backward Classes and
Minority Welfare Department
Secretariat, Fort St. George
Chennai.
2. The Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jafar Sirang Salai
Vallal Seethakathi Nagar
Chennai - 600 001

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 21.04.2021 in a time bound manner.

For Petitioner : Mr. C. Sivakumar

For Respondents : Mr. Stalin Abhimanyu
Government Counsel for R1

Mr. Haja Mohindeen Gisthi
for R2

ORDER

According to the petitioner, he is a social worker and a life member of "Anna Nagar Islamic Centre" situated at H5, H6, III Avenue, Anna Nagar East, Chennai. The aforesaid Centre is a society registered under the Tamil Nadu Societies Registration Act, 1975 and is comprised with two committees namely "Masjid



Javeed-Mosque Committee" and "Madarasa Subulus Salam - Madarasa Committee". The aforesaid Centre and committees are based on the mosque namely "Masjid Javeed" and is utilising the chanda collected by the said mosque from the devotees, which is their sole financial source. The petitioner further states that "The Mosque Committee" which was registered early on 20.03.1975 under the Society Act, 1975 is a dormant one, however, suppressing the same, the Secretary of the Society formed Anna Nagar Islamic Centre and is indulging in taking over assets of the wakf properties without any proper approval or sanction from the Wakf Board and not submitting the annual report to the respondents. Further, he submits that the said Islamic Centre is not following the norms of the Act, even though the same is a registered Society. By pointing out the above irregularities, the petitioner sent a representation to the respondents on 21.04.2021 with regard to the fraudulent activities committing by the Society and the same is pending without consideration till date. Hence, the petitioner has come up with this Writ Petition.

2. Heard the counsel for both sides and perused the materials placed on record. Considering the limited relief sought for by the petitioner, this court, without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioners representation dated 21.04.2021 and pass appropriate orders, on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioner as well as any other interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

3. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

dhk/rsh

To

1. The Principal Secretary to the Government
Backward, Most Backward Classes and
Minority Welfare Department
Secretariat, Fort St. George
Chennai.



2. The Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jafar Sirang Salai
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+1cc to the Government Pleader, S.R.No.56171

WP No. 23262 of 2021

SR-II(CO)
SU(29/11/2021)