



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.2260 of 2011

WEB COPY

Muthulasha Sahib Thaikka Trust,
Rep. by its Managing Trustee,
Syed Sharfudeen,
S/o.Syed Dawood,
No.5/984, Muruganantham Compound,
Pasumpon Street, Yagappa Nagar,
Madurai - 625 020.

... Petitioner

Vs.

1. The Commissioner,
Sivakasi Municipality,
Sivakasi - 626 123,
Virudhunagar District.

2. Sivakasi Shabi Mathahab
Pallivasal Jamath,
Thro. Its President,
Mohammed Honey,
Peria Pallivasal Street,
Sivakasi.

(R-2 is impleaded as party respondent
vide order dated 03.03.2011
in M.P.No.1 of 2011)

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the request of the petitioner made by their legal notice dated 19.07.2010, 08.10.2010 and 21.01.2011 for changing the name of the property bearing Door No.41, Sarkarai Vava Street, Sivakasi Town, together with the buildings including the lands to an extent of 32 cents situated in T.S.Nos.57 to 78 that belongs to the petitioner Trust in accordance with law within the time frame as may be fixed by this Court.

For Petitioner : Mr.S.Subbiah

For R-1 : Mr.P.Athimoolapandian

For R-2 : Mr.M.P.Senthil

* * *



O R D E R

Heard the learned counsel on either side.

2. The petitioner seeks mutation of the relevant records in favour of the petitioner. It appears that there is a serious dispute between the petitioner and the second respondent. C.R.P. (MD) (NPD) Nos. 1341 of 2008 and 1482 of 2010 were disposed of by me today and I have remitted the matter to the file of the Wakf Tribunal. Only based on the outcome of the proceedings in O.S.No.59 of 2004, it would be possible for the first respondent to make necessary mutations. Till then, nothing can be done.

3. This writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pmu

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

The Commissioner,
Sivakasi Municipality,
Sivakasi - 626 123,
Virudhunagar District.

+1 CC to M/s.J.SENTHIL KUMARIAH, Advocate (SR-2777[F] dated 02/02/2021)

W.P. (MD) No. 2260 of 2011
01.02.2021

NS (CO)

TR(01.03.2021) 2P 3C