



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2021

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P. (MD)No.2252 of 2021

and

W.M.P. (MD)Nos.1876 & 1878 of 2021

WEB COPY

Jailani

... Petitioner

Vs

1.Tamil Nadu Wakf Board

(Rep. by its Chief Executive Officer)

Office No.1, Jaffar Sirank Street,

Vallal Seethakathi Nagar,

Chennai-600 001.

2.The Superintendent,

Tamil Nadu Wakf Board,

Madurai Zone,

No.1, Town Hall Road Pallivasal,

Madurai.

3.The Inspector of Wakf

Tamil Nadu Wakf Board,

Theni,

No.1, Town Hall Road Pallivasal,

Madurai.

4.M.Sahubar Saathick

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned non speaking order passed in Se.Mu.Order.No.8611/08/AA8, Theni, dated 21.01.2021 on the file of the first respondent and set aside the same as illegal as against the interest of the wakf in Miskin Levai Dharga situated in Karunkattankulam at Chinnamanur, Theni District and consequently, direct the first respondent to pass an appropriate order for appoint of five members administrative committee nominated through the General Body Meeting held on 27.11.2020 headed by the petitioner for the above said darga, based on the petitioner's representation to the first respondent dated 05.12.2020.

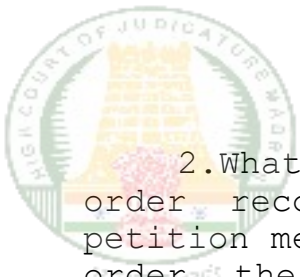
For Petitioner : No appearance

For R1 to R3 : Mr.S.A.Ajmal Khan

**ORDER**

None appears for the petitioner. However, I heard the learned counsel appearing for R1 to R3.

<https://hcservices.ecourts.gov.in/hcservices/>



2.What is under challenge in the writ petition is the impugned order recognizing the fourth respondent as Muthawalli of the petition mentioned wakf. If the petitioner is aggrieved by the said order, the only course open to the petitioner is to move the Wakf Tribunal under Section 83 of the Wakf Act, 1995. Giving liberty to the petitioner to move the Wakf Tribunal, the Writ Petition is dismissed. I make it clear that I have not gone into the merits of the matter. All the rights and contentions of the petitioners are left open. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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.

+1 CC to Mr.S.A.AJMALKHAN, Advocate ( SR-4776[F]  
dated 12/02/2021 )

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VB (22.02.2021) 2P 2C