



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2021

CORAM

THE HON'BLE MR. JUSTICE M.SUNDAR

W.P(MD)No.22802 of 2017

and W.M.P. (MD)No.1274 of 2018

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M.Aariff

... Petitioner

Vs.

Tamil Nadu Wakf Board
(Rep. By its Chief Executive Officer)
Office No.1, Jaffar Sirank Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the respondent to consider the petitioner representation dated 21.11.2017; pertaining to authorise the present ad-hock committee for administration of the wakf property in sikkander badhusa dharga on top on the hill Tiruparankundram and connected mask situated in Tiruparankundram Town, within time period stipulated by this Court and pass the order of the same on merits.

For Petitioner	: Mr.S.A.S.Alaudeen
For Respondent	: Mr.S.A.Ajmalkhan, Standing Counsel.

O R D E R

Mr.S.A.S.Alaudeen, learned counsel on record for lone writ petitioner and Mr.S.A.Ajmalkhan, learned Standing Counsel for Tamil Nadu Wakf Board on behalf of the lone respondent are before this Court. Mr.Ragul Priyan, learned counsel representing Mr.K.K.Samy, learned counsel on record for petitioner in W.M.P.(MD)No.1274 of 2018 (Implead petition) who is before this Court submits that the petitioner in W.M.P.(MD)No.1274 of 2018 is no more.

2. Notwithstanding the expansive prayer, learned counsel for writ petitioner submits that he abridges the prayer and it would suffice if there is a directive/mandamus to the lone respondent to dispose of writ petitioner's representation dated 21.11.2017 within a time frame.

3.To be noted, 21.11.2017 representation of the writ petitioner along with postal acknowledgment card as placed before this Court is as follows:



എല്ലാവരും

M.ஆர்.சி. (44/2017)
S/o. மதுசூதனன்,
எண்.3702, TNHB காலனி,
மதுரை-625 071.

[illegible]

பெரிய

உய்திரு முதுகை வெயல் துடிவன் துடிவன்,
துடித்தாடு வடிவு வளியை,
என்.1, ஐ.யன் கிராம தெரு,
வள்ளல் சிந்தனாதி துடி,
சென்னை - 600 001.

உதயசிங்கத்தார்: ஐயோ,

[illegible]

தான் மேலே கூறிய புகாரின்பேரில் வசித்து வந்திருந்தான். தான் திருப்பாளஞ்சத்திரத்திலுள்ள சிவத்தெய்வம் பட்டினம் தீர்த்தா ஸ்ரீராம பரமஹம்சியின் வீழ்ச்சல் பள்ளியிலுள்ள ஆசிரியராக 1975-ஆம் ஆண்டு 13-ஆம் திசம்பர் முதல் 5-ஆம் திருவாரூரில் தான் புகாரைத் தாக்கீது செய்தான். என்னை என்றால் பரமஹம்சியின் புகாரைத் தாக்கீது செய்திருந்தான்.

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4. The implead petition does not survive and it is not necessary to dwell any further into the same owing to the narrow campus on which the matter now turns.

5. Learned Standing Counsel for Tamil Nadu Wakf Board, on instructions, submits that another writ petition viz., W.P.(MD) No.18364 of 2020 filed by one J.Sikkandar Batcha @ Althaf came to be disposed of by this Court by an order dated 22.02.2021 *inter alia* directing the parties to approach the Wakf Tribunal. The Waqf Tribunal Chennai is in seizin of the matter vide O.A.No.29 of 2021. This is recorded only for completion of facts and for capturing the trajectory of the hearing before me today.

6. Be that as it may, in the light of the abridged prayer, captioned writ petition is disposed of directing the lone respondent to dispose of writ petitioner's aforementioned representation dated 27.11.2017 on its own merits and in accordance with law as expeditiously as possible as the business of the lone respondent would permit and in any event within four weeks from today i.e., on or before 13.12.2021. The order / proceedings of the lone respondent disposing the aforementioned representation shall be communicated to the writ petitioner under due acknowledgment within seven working days from the date of disposal of the representation.



Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

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/ /2021

Sub Assistant Registrar(CS)

vsm

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 Chief Executive Officer,
Tamil Nadu Wakf Board
Office No.1, Jaffar Sirank Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

+1 CC to M/s.K.K. SAMY, Advocate (SR-34541[F] dated 16/11/2021)

W.P(MD)No.22802 of 2017

15.11.2021

PS (CO)

GC(26.11.2021) 7P 3C