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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.4462 of 2022

1.S.M.Aarif Sulthan
2.N.Mohideen Seenii Sathakathulla
3.S.Abdul Kadhar
4.B.Thasleem
5.S.M.Jafeer Shadik

.. Petitioners

Vs.

1.The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

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

3.The Superintendent of Wakf,
Poonamallee Zone,
Big Mosque Complex,
Poonamallee,
Chennai 600 056.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to conduct an enquiry based on the petitioners' representation dated 30.06.2021 by giving sufficient notices and opportunities to all the members of Masjid-e-Maqdoomi Mosque and to appoint a new Adhoc-Committee for Masjid-e-Moqdoomi, No.83, Sembudoss Street, Chennai - 1, within stipulated time fixed by this Court.



For Petitioners : Mr.L.G.Sahadevan

O R D E R

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(The matter is heard through 'video conferencing/hybrid mode')

This Writ Petition is filed seeking a direction to the respondents to conduct an enquiry based on the petitioners' representation dated 30.06.2021 by giving sufficient notices and opportunities to all the members of Masjid-e-Maqdoomi Mosque and to appoint a new Adhoc-Committee for Masjid-e-Moqdoomi, No.83, Sembudoss Street, Chennai - 1, within stipulated time fixed by this Court.

2.The petitioners are member of Masjid-e-Maqdoomi Mosque. The said Mosque is managed by Administrative General and Official Trustee of Madras by appointing trustees as per the orders of this Court through scheme decree dated 02.05.1939 in C.S.No.314 of 1930. While so, after lifting Covid-19 lock down restriction, when the petitioners' community people went to worship in the Mosque on 28.06.2021, they saw proceedings of the 1st respondent dated 03.05.2021, temporarily appointing 9 persons to administer the Masjid-e-Maqdoomi Mosque situated at No.83, Sembudoss Street, Chennai - 1. According to the petitioners, the 1st respondent appointed the said Committee without any notice to the members of Masjid-e-Maqdoomi Mosque and without calling for applications. The petitioners have made various allegations against the persons appointed in the Committee and that they are not qualified to be appointed in the Committee. The petitioners also have stated that against illegal act of the 1st respondent appointing Committee, the petitioners sent a representation dated 30.06.2021 to the respondents 1 to 3 to conduct enquiry based on the petitioners' representation, dissolve the Committee and appoint the new Adhoc Committee by canceling the order of the 1st respondent dated 03.05.2021. The petitioners, by the present Writ Petition, is seeking to dissolve the Committee already formed for the period from 18.02.2021 to 17.02.2022, by the proceedings of the 1st respondent dated 03.05.2021 and to appoint new Adhoc Committee. The petitioners, without challenging the order dated 03.05.2021, whereby a Committee was formed in the appropriate forum, is not entitled to the relief sought for in the Writ Petition.



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For the above reason, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

gsa

To

- 1.The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.
- 2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.
- 3.The Superintendent of Wakf,
Poonamallee Zone,
Big Mosque Complex,
Poonamallee,
Chennai 600 056.

+1cc to Mr.L.G.Sahadevan, Advocate SR.No.13940

W.P.No.4462 of 2022

NMI(CO)
CB(21/03/2022)