



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.NO.17883 OF 2020

M.Malik Basha

.. Petitioner

Vs.

1. The Chairman,
The 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,
Poonoamallee Zone,
Big Mosque Complex,
Poonamallee, Chennai 600 056.
4. The President,
Masjid-e-Akbar Madaraza Rahmania Mosque,
Koovathur Pettai,
Koovathur Village, Cheyyur Post,
Chengalpattu District.
5. Mr.SheikAadham,
The President,
Ibrahim Mosque,
Natham Parameshwaramangalam,
Veppanchery Post,
Cheyyur Post,
Chengalpattu District.

.. 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 1 & 2 to take appropriate action on the petitioner's representation dated 09.10.2020 to constitute the separate committee for Ibrahim Mosques, Natham-Parameshwaramangalam Village, Veppenchery Post, Cheyyur Taluk, Chengalpattu District.

For Petitioner : Mr.R.Rajeshkrishnan
for Mr.A.Ilayaperumal

For RR1 to 3 : No appearance

For R2 : Mr.C.Shankar
Standing Counsel (Wakf Board)

For RR4 & 5 : Mr.Syed Aejay
for M/s.N.A.Nissar Ahmed

O R D E R

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

This Writ Petition is filed seeking a direction to the respondents 1 & 2 to take appropriate action on the petitioner's representation dated 09.10.2020 to constitute separate committee for Ibrahim Mosques, Natham-Parameshwaramangalam Village, Veppenchery Post, Cheyyur Taluk, Chengalpattu District.

2. According to the petitioner, Ibrahim Mosque is administered by Mosque Committee. The petitioner is one of the elected members of the said Ibrahim Mosque. The 5th respondent is Muthavalli of both the Masjid-e-Akbar Madaraza Rahmania Mosque in Koovathur and Ibrahim Mosque in Natham-Parameshwaramangalam. The Ibrahim Mosque owns several acres of land situated at Natham-Parameshwaramangalam, Gundumanichery, Udalkarakuppam, Poighainallur, Puranchery, Parasanallur, Anaikkattu, Sembur, Khadharapakkam, Tandarai, Kizhneerpallam Village. The petitioner contested in the election of Office Bearers conducted on 19.07.2019 and elected as a Joint Secretary of the Ibrahim Mosque. The Committee passed resolution in the General Body Meeting and decided to inform about the election of office bearers of the respondents 1 and 2 for approval. Till date, the 5th respondent has not sent any opinion about the election to the respondents 1 and 2 for approval. In view of the same, office bearers elected have not been authorized by the Wakf authorities. The 5th respondent is administering the Ibrahim Mosque on his own to grab the properties of the Mosque. Hence,



the petitioner has sent representation dated 09.10.2020 to the respondents 1 and 2. Since no orders are passed, the petitioner has come out with the present Writ Petition.

3. Considering the nature of relief sought for in the Writ Petition, without deciding the issue on merits, the respondents 1 and 2 are directed to consider the representation of the petitioner dated 09.10.2020 and pass orders on merits after hearing the petitioner, respondents 4 and 5 and other parties if any, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Chairman,
The 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,
Poonoamallee Zone,
Big Mosque Complex,
Poonamallee, Chennai 600 056.
4. The President,
Masjid-e-Akbar Madaraza Rahmania Mosque,
Koovathur Pettai,
Koovathur Village, Cheyyur Post,
Chengalpattu District.



5. Mr. Sheik Aadham,
The President,
Ibrahim Mosque,
Natham Parameshwaramangalam,
Veppanchery Post,
Cheyyur Post,
Chengalpattu District.

+1cc to M/s. N.A. Nissar Ahmed, Advocate, S.R.No.12848
+1cc to Mr. A. Ilayaperumal, Advocate, S.R.No.12685

W.P.No.17883 of 2020

PMK (CO)
PM/17/03/2022