



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.26000 of 2021

M/s.Masjid-E-Aasaar and Madarasa-E-Siddiqiyah
Mosque Wakf,
Rep by its Secretary,
Mohammed Abdul Rub,
No.8/20, Hussain Mulk Street,
Pudupakkam, Chennai - 600 014.

.. Petitioner

Vs.

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

2. The Superintendent,
Tamil Nadu Wakf Board,
Dr.Besant Road, Chennai - 600 005.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st Respondent to hear and dispose of the Representation dated 02.07.2021, and further direct to the respondent to take over the direct management of the petitioner mosque wakf for a specified period in accordance to law within a time frame fixed by this Court.

For Petitioner : Mr.A.Mohamed Ismail

For Respondents : Mr.C.Shankar
Standing Counsel for Wakf Board

O R D E R

This Writ Petition is filed for issuance of Writ of Mandamus, directing the 1st respondent to hear and dispose of the representation dated 02.07.2021, and further direct to the respondent to take over the direct management of the petitioner



mosque wakf for a specified period in accordance to law within a time frame fixed by this Court.

2.The petitioner is the Secretary of the Masjid-E-Aasaar and Madarasa-E-Siddiqiyah Mosque Wakf. The petitioner was appointed as Secretary of the said Mosque in the year 2016 for a period of three years. After the expiry of his tenure, on 19.11.2019 he was nominated as Secretary for another three years in the presence of officials of the respondents by the local members. The erstwhile committee members have not submitted the accounts to the respondents. Therefore, the petitioner issued a letter dated 15.10.2021 to the Treasurer of the petitioner Mosque for submission of accounts before the committee. The Treasurer has not submitted the accounts. In view of the same, the petitioner sent representation dated 02.07.2021 to the respondents 1 & 2 to take over the management of the petitioner Mosque. Since the representation dated 02.07.2021 was not considered, the petitioner has come out with the present Writ Petition.

3.The learned Standing Counsel appearing for the respondents submitted that in the year 2016, the petitioner was selected as Secretary and his period expired in the year 2019. The 1st respondent has not approved the appointment of petitioner as Secretary in the year 2019. The petitioner's representation dated 02.07.2021 will be considered and the 1st respondent will pass orders within the time frame stipulated by this Court.

4.Heard the learned counsel appearing for the petitioner as well as the learned Standing Counsel appearing for the respondents and perused the entire materials on record.

5.Considering the above facts and nature of relief sought for by the petitioner in the present Writ Petition, it is suffice to direct the 1st respondent to consider the representation of the petitioner dated 02.07.2021 on merits and pass orders in accordance with law after hearing the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

krk



To

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

2. The Superintendent,
Tamil Nadu Wakf Board,
Dr.Besant Road,
Chennai - 600 005.

+1cc to Mr.A.Mohamed Ismail, Advocate, S.R.No.15974

+1cc to Mr.C.Shankar, Advocate, S.R.No.16068

W.P.No.26000 of 2021

PA (CO)
SU (24/03/2022)