



WEB COPY



W.P. No. 27800 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 27800 of 2022

K.Mohamed Mariyam Gani
W/o. S.M.Sheik Dawood,
Represented by her Power Agent S.M.Sheik Dawood,
S/o. S.N.A.Kader,
No. 1A, Pearodum Street,
Nagore - 611 002.

... Petitioner

-VS-

1. The Tamil Nadu Waqf Board,
Rep. by its Chairman,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.

2. Sikander Vavanna Waqf,
Rep. by its Muthawalli,
Mr. Abusali,
Nagore - 611 002,
Nagapattinam District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to consider the representation dated 01.06.2022 and further direct the First Respondent to delete the notification No. 198 of 2020 and appoint the Petitioner as Muthawalli under Section 32 of the Waqf Act, 1995.



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W.P. No. 27800 of 2022

For Petitioner : Ms. A.Ajimath Begam
For Respondents : Mr. K.H.M.Afzal (for R1)
Mr. N.A.Nissar Ahmed (for R2)

ORDER

Heard Ms. A.Ajimath Begam, Learned Counsel for the Petitioner, Mr. K.H.M.Afzal, Learned Counsel who takes notice for the First Respondent and Mr. N.A.Nissar Ahmed, Learned Counsel who takes notice for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that during the enquiry conducted on 01.06.2022 by the First Respondent relating to the Waqf of the Second Respondent, she had submitted a representation dated 01.06.2022 relating to the irregularities committed by the persons in management of that Waqf, but as no action has been taken thereon, it has compelled her to file this Writ Petition.

3. Learned Counsel for the First Respondent, on instructions, states that the enquiry relating to the Waqf of the Second Respondent including the said



W.P. No. 27800 of 2022

representation made by the Petitioner would be completed expeditiously. In such circumstances, the First Respondent shall, after affording full opportunity of personal hearing to the concerned parties following the prescribed procedure in consonance with the principles of natural justice, pass reasoned orders on the representation dated 01.06.2022 made by the Petitioner dealing with each of the contention raised and communicate decision taken to the concerned parties under written acknowledgment. Such exercise shall be completed by 31.12.2022 and a report for the same shall be filed before the Registrar (Judicial) of the Court.

4. In fine, the Writ Petition is disposed on the aforesaid terms. No costs.

19.10.2022

vjt

Index: Yes/No

Note: Issue order copy by 01.11.2022.

To

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



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W.P. No. 27800 of 2022

P.D. AUDIKESAVALU, J.

vjt

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.

W.P. No. 27800 of 2022

19.10.2022