



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) No.3054 of 2022

and

W.M.P. (MD) No.2669 of 2022

WEB COPY

A.Aynul Yakheen

... Petitioner

/vs./

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Chennai.

2.The Superintendent of Wakf/
Executive Officer,
Tamil Nadu Wakf Board,
Having office at No.1, Town Hall Road,
Madurai.

3.S.G.Azam Ali

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to prevent the conduct of any private function either in the name of anniversary function of Kazi Tajudeen or the distribution of their amount among the members of the 3rd Respondent family within the premises of Kazimar Periya Pallivasal, Kazimar Street, Madurai in consideration of the Petitioner's representation dated 09/02/2022.

For Petitioner : Mr.G.Prabhu Rajadurai

For R1 & R2 : Mr.S.A.Ajmal Khan
Standing Counsel

For R3 : Mr.M.Mahaboob Athiff for
M/S.Ajmal Associates

ORDER

Mr.S.A.Ajmal Khan, learned Standing Counsel takes notice for the respondents 1 and 2.

2.Mr.M.Mahaboob Athiff, learned counsel, who takes notice for the 3rd respondent, submits that the function, namely Kazi Tajudeen, is to be held tomorrow (17.02.2022) as the Pallivasal is under the purview of the Tamil Nadu Waqf Act, 1995.



3.After hearing the learned counsel for the petitioner, the learned Standing Counsel for the respondents 1 and 2 and the learned counsel for the 3rd respondent, this Court is inclined to pass the following directions:-

i) The 1st respondent, namely, the Chief Executive Officer, Tamil Nadu Wakf Board, Chennai, is directed to consider the representations of the petitioner dated 08.02.2022 and 09.02.2022 and take a decision as to whether the function can be held at the request of the 3rd respondent or whether the request of the petitioner is to be accepted.

ii) The 1st respondent is also directed to pass appropriate orders on such representations on the basis of the records that are available at the end of today itself and communicate the decision of the same to both the petitioner and the 3rd respondent herein.

4.The writ petition stands disposed of, with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

16/02/2022

Sub Assistant Registrar(CS)

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To

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Chennai.

2.The Superintendent of Wakf/
Executive Officer,
Tamil Nadu Wakf Board,
Having office at No.1, Town Hall Road,
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