



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.02.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.3495 of 2022

WEB COPY

K.Syed Ahamed Kabeer

... Petitioner

/vs./

- 1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1 Jafar Sirang Street,
Vallal Seethakathi Nagar,
Behind Singaravelar Maligai,
Chennai - 600 001.
- 2.The Wakf Superintendent,
No.1, Town Hall Road Jamath Pallivasal,
2nd Floor, Town Hall Road,
Madurai - 625 001.
3. The Wakf Inspector,
No.1, Town Hall Road Jamath Pallivasal,
2nd Floor, Town Hall Road,
Madurai - 625 001.
4. The Joint-I Sub Registrar,
Madurai South,
Palace Road, East Gate,
Madurai - 625 001.
5. The Sub Registrar,
Thamaraipatti,
Camp at Chittampatti,
Madurai North, Madurai District.
- 6.The Muthavalli
Karimsha Palllivasal Wakf,
No.1, Munichalai Road,
Madurai 625 009.
- 7.The Wakf Board,
No.1 Jafar Sirang Street,
Vallal Seethakathi Nagar,
Behind Singaravelar Maligai,
Chennai - 600 001.

(R7 has been impleaded
vide order dated 24.02.2022)

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to conduct an enquiry and register the properties comprising in the wakf deed in Document No.667 of 1923 dated 07.02.1923 on the file of 4th respondent in the Wakf Register maintained by the 2nd respondent based on the representation dated 03.10.2021.

For Petitioner : Mr.M.Seenisulthan

For R1 to R3 : Mr.S.A.Ajmal Khan
Standing Counsel

For R4 & R5 : Mr.S.Shanmugavel,
Additional Government Pleader

ORDER

Mr.S.A.Ajmal Khan, learned Standing Counsel takes notice for the respondents 1 to 3 and Mr.S.Shanmugavel, learned Additional Government Pleader takes notice for the respondents 4 and 5.

2.This writ petition is disposed of at the time of admission by dispensing with the notice on the 6th respondent as no adverse orders are proposed to be passed against the 6th respondent.

3.The petitioner has filed this writ petition for a Mandamus to direct the 1st respondent to conduct an enquiry and register the properties comprised in wakf deed in Document No.667 of 1923 dated 07.02.1923 on the file of 4th respondent in the Wakf Register maintained by the 2nd respondent, based on the representation dated 03.10.2021.

4.The learned Standing Counsel for the respondents 1 to 3 submits that it is for the Wakf Board, which is competent to pass appropriate orders on the representation of the petitioner. Therefore, for the purpose of issuing a direction to the The Wakf Board, No.1 Jafar Sirang Street, Vallal Seethakathi Nagar, Behind Singaravelar Maligai, Chennai - 600 001, the Wakf Board is *suo motu* impleaded as 7th respondent in this writ petition.

5.Considering the above, this Court directs the petitioner to file appropriate application before the 7th respondent/The Wakf Board, No.1 Jafar Sirang Street, Vallal Seethakathi Nagar, Behind Singaravelar Maligai, Chennai - 600 001 within a period of 15 days from the date of receipt of a copy of this order. On receipt of the same, the Wakf Board/7th respondent shall pass appropriate orders on merits and in accordance with law, after giving notice to all the



persons concerned including the 6th respondent herein, who is likely to be affected by the orders to be passed by the 7th respondent. No costs.

Sd/-

Deputy Registrar (LA & MC)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Joint-I Sub Registrar,
Madurai South,
Palace Road, East Gate,
Madurai - 625 001.
2. The Sub Registrar,
Thamaraipatti,
Camp at Chittampatti,
Madurai North, Madurai District.

+1 CC to M/s.SPL GP (SR-8770[F] dated 25/02/2022)

W.P. (MD) No.3495 of 2022
24.02.2022

MGJ(23.03.2022) 3P 4C