



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.03.2022**

CORAM:

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

W.P. (MD) No.4229 of 2022

N.Syed Sakir

... Petitioner

/vs./

1.The Tamil Nadu Wakf Board,
represented by its Chairman,
No.1, Jaffer Syrang Street,
Vallal Chethakathi Nagar,
Chennai.

2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Chethakathi Nagar,
Chennai.

3.The Superintendent of Wakf,
Trichy Region,
No.8/124, Kayithaillath Road,
Palakarai,
Trichy 626 008.

... Respondents

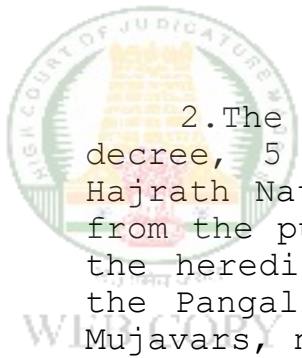
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to consider and pass final orders on the petitioner's representation dated 01.03.2022 and consequently forbear the Respondents from taking any steps for nomination of public trustees till then.

For Petitioner : Mr.M.Mahaboob Athiff

For Respondents : Mr.D.S.Haroon Rasheed
Standing Counsel

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the 2nd respondent to consider and pass final orders on the petitioner's representation dated 01.03.2022 and consequently forbear the respondents from taking any steps for nomination of public trustees till then.



2.The case of the petitioner appears to be that under a scheme decree, 5 members have to be appointed as the office bearers of Hajrath Naterval Darga Mujavars Association consisting of 3 members from the public as public trustees and two others, one person being the hereditary trustee and the other person being the member from the Pangali trustee to be appointed from among the members of the Mujavars, namely the persons, who provide service in the Darga.

3.The learned counsel for the petitioner submits that the public trustees were appointed in the year 2018 and their term will come to end in the year 2023, whereas the hereditary trustee and Pangali trustee were appointed/elected in the year 2017 and that their terms would come to end on 27.06.2022. It is submitted that even before the fresh elections of Pangali and Mujavars are conducted, the 2nd respondent is taking steps for holding fresh election for the public trustees, though their term would come to end only in 2023.

4.The learned Standing Counsel for the respondents submits that the petitioner's representation dated 01.03.2022 is yet to be taken up for consideration. The petitioner has filed this writ petition without giving breathing time to the respondents on 07.03.2022. It is therefore submitted that the writ petition is liable to be dismissed.

5.By way of rejoinder, the learned counsel for the petitioner submits that the petitioner was forced to rush to the Court immediately after the filing of the representation as the respondents were given only 15 days breathing time for the petitioner to respond.

6.I have considered the arguments advanced by the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

7.This writ petition is disposed of by directing the 2nd respondent/the Chief Executive Officer, Tamil Nadu Wakf Board, Chennai, to dispose of the petitioner's representation dated 01.03.2022 on merits and in accordance with law, within a period of 4 weeks from the date of receipt of a copy of this order. All further election of public trustees shall be kept in abeyance pending disposal of the above representation. No costs.

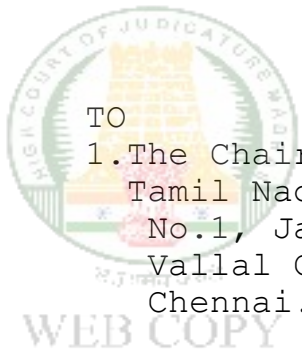
Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar



TO

- 1.The Chairman,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Chethakathi Nagar,
Chennai.
- 2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Chethakathi Nagar,
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- 3.The Superintendent of Wakf,
Trichy Region,
No.8/124, Kayithaillath Road,
Palakarai,
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W.P. (MD) No.4229 of 2022
10.03.2022

mm

MS/22.03.2022/3P.4C