



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) .No.5353 of 2022

and

W.M.P. (MD) .No.4365 of 2022

WEB COPY

Thirupparankundram Muslim
Pothu Jamath Represented by its Secretary,
M.Syed Mummasha.

...Petitioner

Vs.

- 1.The District Collector,
Madurai Collector Office,
Madurai -20.
- 2.The District Backward
and Minority Welfare Officer,
Madurai District.
- 3.The Revenue Divisional Officer,
Thirumangalam,
Madurai District.
- 4.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Jabar Sarang Street,
Vallal Seethakathi Nagar,
Mannadi,
Chennai - 600 001.
- 5.The Superintendent,
Tamil Nadu Wakf Board,
No.1, Town Hall Road,
Madurai - 625 001.
- 6.T.S.N.M.S.Mohamed Illiaas
- 7.T.S.N.M.S.Mohamed Idris
- 8.T.S.N.M.S.Mohamed Abdulla

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the fourth and fifth respondents to take necessary action to bring the property Tho.si.mosque situated at Thirupparankundram, Madurai District, under the Wakf Board Act, as per the representation made by the petitioner, dated 09.12.2021 and 13.01.2022 to the respondents.



For Petitioner : Mr.R.Ganesan
For R-1 to R-3 : Mr.M.Prakash,
Additional Government Pleader.
For R-4 and R-5 : Mr.S.A.Ajmalkhan

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ORDER

The writ petition has been filed for a Writ of Mandamus, to direct the fourth and fifth respondents to take necessary action to bring the property Tho.si.mosque situated at Thirupparankundram, Madurai District, under the Wakf Board Act, as per the representation made by the petitioner, dated 09.12.2021 and 13.01.2022 to the respondents.

2. This Writ Petition is disposed of at the time of the admission stage itself by dispensing with prior notice on the private respondent Nos.6 to 8 as no adverse orders are proposed to be passed by this order. The petitioner claims that there is a mismanagement of the Wakf Property by the private respondents herein. Under these circumstances, the petitioner had given representation, dated 09.12.2021 and 13.01.2022 to the fourth respondent. It appears that the second respondent has also forwarded notice to the Revenue Divisional Officer to take appropriate action, based on the complaint of the petitioner.

3. Considering the fact that the petitioner's representation, dated 09.12.2021 and 13.01.2022 have not received further response, so far, despite a lapse of more than a year since the representations were given, I am inclined to dispose this writ petition by directing the fourth respondent to pass appropriate orders on the representation of the petitioner, dated 09.12.2021 and 13.01.2022 within a period of 45 days from the date of receipt of a copy of this order. It is needless to state that before passing such order, the private respondent shall also be heard.

4. The writ petition stands disposed of in terms of the above observations. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector,
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- 2.The District Backward
and Minority Welfare Officer,
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- 4.The Chief Executive Officer,
Tamil Nadu Wakf Board,
Jabar Sarang Street,
Vallal Seethakathi Nagar,
Mannadi,
Chennai - 600 001.

+1 CC to M/s.R.GANESAN, Advocate (SR-14469[F] dated 25/03/2022)

+1 CC to M/s.SPL GP (SR-15062[F] dated 29/03/2022)

**W.P. (MD) .No.5353 of 2022
25.03.2022**

SP(CO)
PA(06.04.2022) 3P 7C