



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.04.2022**

CORAM:

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

W.P. (MD) No.7211 of 2022

M.A.Mohammed Abdul Kader

... Petitioner

/vs./

1.The Principal Secretary to the Government,
Backward Class, Most Backward Class and
Minorities Welfare Department,
Secretariat,
Fort St.George, Chennai 600 009.

2.The District Collector,
Office of the District Collector,
Kanyakumari District,
Nagercoil.

3.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Sirang Street,
Vallal Seethakadhi Nagar,
Chennai 600 001.

4.The Superintendent of Wakfs,
Office of the Wakf Superintendent,
Khader Avulia Pallivasal Campus,
No.51/80, Trivandrum Road,
Palayankottai, Tirunelveli District.

5.The Wakf Inspector,
Office of the Wakf Inspector,
Khader Avulia Pallivasal Campus,
No.51/80, Trivandrum Road,
Palayankottai, Tirunelveli District.

6.Malik Dinar Baithulmal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 to 5 to pass appropriate orders for the eviction of the encroachers in respect of the lands/properties belonged to the Malik Dinar Baithulmal Jamath, the sixth respondent herein, as per the provisions contained under Section 54 of the Wakf Act, 1995, within a time frame as may be fixed by this Court.



For Petitioner : Mr.G.Aravinthan
For R1 & R2 : Mr.M.Prakash
Additional Government Pleader
For R3 to R5 : Mr.K.K.Senthil

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondents 2 to 5 to pass appropriate orders for the eviction of the encroachers in respect of the lands/properties belonging to the Malik Dinar Baithulmal Jamath, the 6th respondent herein under Section 54 of the Wakf Act, 1995.

2.Mr.M.Prakash, learned Additional Government Pleader takes notice for the respondents 1 and 2 and Mr.K.K.Senthil, learned counsel takes notice for the respondents 3 to 5.

3.The learned counsel for the official respondents and the learned counsel for the respondents 3 to 5 submit that appropriate orders will be passed on the representation of the petitioner dated 25.09.2021 within 6 months.

4.Recording the above submission, this writ petition is disposed of by directing the respondents to take appropriate action by considering the representation of the petitioner dated 25.09.2021 on merits and in accordance with law, within a period of 6 months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

04/05/2022

Sub Assistant Registrar(CS)

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To

1.The Principal Secretary to the Government,
Backward Class, Most Backward Class and
Minorities Welfare Department,
Secretariat,
Fort St.George, Chennai 600 009.

2.The District Collector,
Office of the District Collector,
Kanyakumari District,
Nagercoil.



+1 CC to M/s.G. ARAVINTHAN, Advocate (SR-19420[F] dated
19/04/2022)

+1 CC to M/s.SPL.GP. (SR-19725[F] dated 20/04/2022)

+1 CC to M/s.K.K. SENTHIL, Advocate (SR-19816[F] dated 20/04/2022)

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19.04.2022

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