



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.05.2022

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.10050 of 2022

and

W.M.P.[MD]No.7153 of 2022

WEB COPY

P.Mohamed Ibrahim

... Petitioner

/Vs./

1.The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai.

2.The Superintendent of Waqf,
Tirunelveli Division, Tamilnadu Waqf Board,
Tirunelveli.

3.Syed Thameem

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of MANDAMUS to direct the first respondent to pass orders on the petitioner's application expressing no confidence against the third respondent to function as the President of Kotar Ilankadai Muslim Samudayam Trust Waqf dated 27.04.2022 within the time that may be stipulated by this Court.

For Petitioner : Mr.S.M.Mahaboob Athiff
For Respondents : Mr.S.A.Ajmalkhan

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 and 2, to pass orders on the petitioner's representation dated 27.04.2022 requesting for removal of the third respondent as the President of Kotar Ilankadai Muslim Samudayam Trust Waqf, within a time frame to be fixed by this Court.

2.Heard Mr.S.M.Mahaboob Athiff, learned Counsel for the writ petitioner and Mr.S.A.Ajmalkhan, learned counsel, who accepts notice on behalf of the respondents.

3.The petitioner is one of the members of the aforementioned Wakf. According to the petitioner, there are thirteen members and the majority of the members want removal of the third respondent as the president of the aforementioned wakf. The petitioner has given a representation on 27.04.2022 to the first and second respondents seeking for removal of the third respondent as the President of the



aforementioned wakf. Admittedly, the said representation has not been considered till date.

4.No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the third respondent including granting them the right of personal hearing, within a time frame to be fixed by this Court.

5.For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation dated 27.04.2022 seeking for removal of the third respondent as the President of the Kotar Ilankadai Muslim Samudayam Trust Waqf, after affording a fair hearing to the petitioner and the third respondent including granting them the right of personal hearing, within a period of two (2) months from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Vacation
Officer)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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TO:

1.The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai.

2.The Superintendent of Waqf,
Tirunelveli Division, Tamilnadu Waqf Board,
Tirunelveli.

+1 CC to M/s.M. MAHABOOB ATHIFF, Advocate (SR-24105[F] dated
24/05/2022)

W.P.[MD]No.10050 of 2022

20.05.2022

_RD(31.05.2022) 2P 4C