



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.05.2022

CORAM

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.10529 of 2022 and
WMP(MD) No.7657 of 2022

S.Syed Ibrahim

... Petitioner

-Vs-

1.Tamilnadu Wakf Board,
Through its Chief Executive Officer,
No.1, Jabhar Syrong Street,
Mannady,
Seethakathi Nagar,
Chennai-600001.

2.The Superintendent,
Tamilnadu Wakf Board,
Chinna Kadai Street,
Ramanathapuram District.

...Respondents

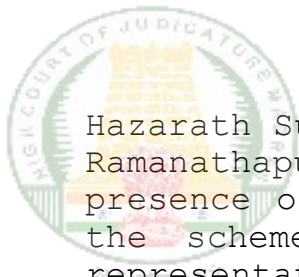
Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to consider the petitioner's representation dated 10.05.2022 and pass suitable orders forthwith in appointing an administrative committee to the Dargha Ervadi Kuthubu Hazarath Sulthan Syed Ibrahim Shaheed Oilyullah situated at Ervadi, Ramanathapuram District and also make immediate steps to open the Hundis in the presence of selected appointed administrative committee pursuant to the scheme decree as made in O.S.No.236 of 1978 dated 27.04.1989 by the Hon'ble Subordinate Court, Ramnad at Madurai and also to disburse the Hundis amount to the Haqdars as framed in pursuance of competent above said civil court scheme decree forthwith and also give lease of subsidiary Dargha properties to the people as per the existing procedure as followed by the Dargha earlier forthwith.

For Petitioner : Mr.M.Sahul Hameed

For Respondents : Mr.S.A.Ajmalkhan
Senior counsel

ORDER

The petitioner had given a representation on 10.05.2022 and 21.05.2022 to the second respondent seeking suitable orders for appointing the administrative committee to the Dargha Ervadi Kuthubu



Hazarath Sulthan Syed Ibrahim Shaheed Oilyullah, situated at Ervadi, Ramanathapuram District and also to make steps to open Hundis in the presence of selected appointed administrative committee pursuant to the scheme made in this regard by the Civil Court. The said representation since have not been considered, he has approached this Court.

2. Heard the learned counsel appearing for the petitioner as well as the learned senior counsel appearing for the respondents.

3. The learned senior counsel appearing for the respondents would submit that, though the earlier representation was given to the second respondent, since the first respondent is the competent authority to decide the plea of the petitioner and subsequently the petitioner since has given representation on 21.05.2022 to the first respondent, the said representations would be considered by the first respondent on merits and in accordance with law and orders would be passed thereon within a shortest possible period that may be stipulated by this Court.

4. Considering the said submission made by both sides and taking into account the innocuous nature of the prayer sought for herein, this Court is inclined to dispose of this writ petition with the following orders:-

"that there shall be a direction to the first respondent to consider the representation of the petitioner, dated 21.05.2022 and the earlier representation, dated 10.05.2022 that has been given to the second respondent, who shall forward the same to the first respondent and on receipt of the same, after considering the representations, the orders shall be passed by the first respondent on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Vacation Officer

// True Copy //

28/05/2022

Sub Assistant Registrar(CS)

am/vrn



To

1.The Chief Executive Officer,
Tamilnadu Wakf Board,
No.1, Jabhar Syrong Street,
Mannady,
Seethakathi Nagar,
Chennai-600001.

2.The Superintendent,
Tamilnadu Wakf Board,
Chinna Kadai Street,
Ramanathapuram District.

Order made in
W.P. (MD) No.10529 of 2022
27.05.2022

MGJ(28.05.2022) 3P 3C