



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. (MD) No.23202 of 2022

A.Syed Maideen

... Petitioner

Vs.

The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1 Jabarsingh Road,
Seethakathi Nagar,
Chennai - 600 001.

.. Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the Respondent to consider the representation dated 15.06.2022 claiming Petitioner's appointment as Mutawalli in Kwaja Banthenavaj Avuliya Darga (Sunni) within a stipulated period.

For Petitioner : Mr.E.Mohamed Abbas

For Respondent : Mr.S.A.Ajmal Khan
Standing Counsel

O R D E R

This Writ Petition has been filed to direct the Respondent to consider the representation of the Petitioner dated 15.06.2022 to appoint him as Mutawalli in 'Kwaja Banthenavaj Avuliya Darga (Sunni) '.

2. It is submitted by the learned counsel for the Petitioner that the Petitioner's father died on 14.02.1987 and the Petitioner is the eldest son in his family. Therefore, as per the Proforma of G.S.No.360, it is the custom to appoint the eldest male member of the family as Mutawalli in 'Kwaja Banthenavaj Avuliya Darga (Sunni) '. Hence, in this regard, the Petitioner submitted a representation on 15.06.2022 to the Respondent to appoint him as Mutawalli in 'Kwaja Banthenavaj Avuliya Darga (Sunni) '. However, till date, the Respondent has not taken any action against the representation of the Petitioner. Hence, the present Writ Petition has been filed.

<https://www.mhc.tn.gov.in/judis> 3. It is submitted by the learned Standing Counsel



appearing for the Respondent that the representation of the Petitioner would be considered and orders passed thereon in accordance with law, after putting on notice any interested parties / stake holders and in case, any rival case, appropriate enquiry would be conducted.

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4. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

5. In view of the above submission and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the Respondent to consider the Petitioner's representation dated 15.06.2022, on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order after granting opportunity to the Petitioner and also putting all interested parties / stake holders on notice. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the Respondent to consider the representation on its own merits.

6. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

vji

To:

The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1 Jabarsingh Road,
Seethakathi Nagar,
Chennai - 600 001.

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AMS (03.11.2022) 2P 2C