



W.P.(MD)No.24483 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.11.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.24483 of 2022

and

W.M.P.(MD).Nos.18562 & 18564 of 2022

1.N.Syed Zakir

2.Rafiq Basha

... Petitioners

Vs.

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

2.The Superintendent of Wakf,
Office of the Trichy Central Wakf
Superintendent,
No.8/124, 2nd Floor,
Quide Milleth Road,
Palakkarai, Trichy-8.

3.Janab.A.Allabaksh @ Mohammed Ghouse,
S/o.Ahamed Basha,
Executive Trustee/Trustee,
Office of Natharsha Pallivasal Dargah,
Natharsha Pallivasal Street,
Main Road, Trichy-8.

... Respondents



W.P.(MD)No.24483 of 2022

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 & 2 to conduct an enquiry against 3rd Respondent relating to the mismanagement in the administration of Natharsha Dargah and consequently to remove the 3rd Respondent from the post of Executive Trustee/ Trustee of Natharsah Dargah, Natharsha Dargah, Natharsha Pallivasal Street, Madurai Road, Trichy-8 by considering the petitioner's representation dated 23.09.2022.

For Petitioner :Mr.M.P.Senthil
For Respondents :Haja Mohideen Gisthi,
Senior Standing Counsel Asst.By
Mr.D.S.Haroon Rasheed
Standing Counsel

O R D E R

This Writ Petition is filed praying for a Mandamus, directing the Respondents 1 & 2 to conduct an enquiry against the 3rd Respondent relating to the mismanagement of the administration of Natharsha Dargah and consequently to remove the 3rd Respondent from the post of Executive Trustee/ Trustee of Natharsah Dargah, Natharsha Pallivasal Street, Madurai Road, Trichy-8 by considering the petitioner's representation, dated 23.09.2022.



W.P.(MD)No.24483 of 2022

WEB COPY

2.It is submitted by the learned counsel for the petitioner, that the petitioner has submitted a representation to the 1st Respondent, dated 23.09.2022, wherein, the allegations of mismanagement and maladministraion of Natharsah Dargah, has been made against the trustees of the said Dargah, which is pending for consideration.

3. The learned Standing Counsel, appearing on behalf of the 1st and 2nd Respondents submitted that subsequent to the receipt of the representation, an enquiry has been made and a report has been obtained on 05.10.2022. It is further submitted that the above representation shall be considered in accordance with law.

4.Considering the limited scope of the prayer sought for in this writ petition, there shall be a direction to the 1st Respondent herein to consider the representaion of the petitioner, dated 23.09.2022 and pass appropriate orders on merits and in accordance with law after giving due opportunity to the petitioner, within period of four weeks from the date of receipt of a copy of this order, after affording a reasonable opportunity to



W.P.(MD)No.24483 of 2022

the petitioner and other stake holders/interested parties, if any. It is made clear that this Court has not expressed any view with regard to the merits of the representation and it is open to the respondents to consider the same, on its own merits.

5. With the above directions, this writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

10.11.2022

Index : Yes / No

Speaking Order : Yes / No

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To

1. The Chief Executive Officer,
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Vallal Seethakathi Nagar,
Chennai.

2. The Superintendent of Wakf,
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W.P.(MD)No.24483 of 2022

MOHAMMED SHAFFIQ, J.

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