



W.P.No.1681 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 24.01.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**WP.No.1681 of 2023 &**

**WMP.No.1784 of 2023**

B.N.S.Noor Mohamed

... Petitioner

Vs

1. The Chief Executive officer,  
Tamil Nadu Waqf Board, No.1, Jaffar Syrang Street,  
Vallal Seethakathi Nagar, Chennai – 600 001.
  2. The Director,  
Office of Public Accountant General,  
4<sup>th</sup> Floor, Professor K.Anbazhagan Complex,  
Nandhanam, Chennai – 600 035.
  3. The Superintendent,  
Tamil Nadu Waqf Board, Coimbatore Zone.
  4. The Inspector,  
Tamil Nadu Waqf Board, Tiruppur.
  5. Mr.Abbas Manthiri,  
The Sinnakkarai Khader Masthan Waliullah Dargah And Sunnath,  
Jamaath Mosque Waqf, Sinnakkarai, Palladam Road,  
Veerapandi, Tiruppur – 641 645.
- ... Respondents



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**Prayer:-** Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 18.07.2022 to take disciplinary action against third, fourth and fifth respondent, complete the inquiry against the fifth respondent and if found guilty an appropriate legal action to be taken against him and recover the loss made by his deliberate mistakes and also direct the second respondent to complete the financial and Compliance audit of the said Waqf and share the findings.

For Petitioner : Mr.K.Shahul Hameed

For Respondents : Mr.Mohammed Fiaz Ali,  
SC for Wakf Board – R1, 3 & 4

### **ORDER**

This Writ Petition has been filed to direct the first respondent to consider the petitioner's representation dated 18.07.2022 to take disciplinary action against third, fourth and fifth respondent, complete the inquiry against the fifth respondent and if found guilty an appropriate legal action to be taken against him and recover the loss made by his deliberate mistakes and also direct the second respondent to complete the financial and Compliance audit of the said Waqf and share the findings.



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2. The case of the petitioner is that though there is serious mismanagement and clear violation of the duties and responsibilities of fifth respondent masjid management Committee, the Tamil Nadu Waqf Board has failed to take action on the masjid Committee. In this regard the petitioner has also sent a representation to the first respondent for taking disciplinary action against the third, fourth and fifth respondents. As the first respondent has not taken action on the representation given by the petitioner, the present Writ Petition.

3. When the matter is taken up today, the learned counsel appearing for the petitioner submitted that he is not pressing the Writ Petition as against the relief sought against the respondents 3, 4 and 5 and it is suffice to direct the first respondent to consider his representation and take appropriate action.

4. In view of the fact that the petitioner has restricted his relief to consider his representation, without going to the merits of the case, the first respondent is directed to consider the representation of the petitioner dated 18.07.2022 and conduct enquiry, after giving opportunity to all the



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parties concerned and pass Orders 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 directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

**24.01.2023**

Index: Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The Chief Executive officer,  
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**N.SATHISH KUMAR, J.**

VTC

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**24.01.2023**