



W.P.No.3901 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.3901 of 2023

Muhammad Mujeebur Rahman

... Petitioner

Versus

1. The Principal secretary,
Government of Tamil Nadu,
BC, MBC and Waqf Department,
Secretariat, Fort St.George,
Chennai 09.

2. The Principal Secretary
Government of Tamil Nadu,
Department of Higher Education,
Secretariat, Fort St.George,
Chennai 09.

3. The Chairman,
Chief Executive officer,
Tamil Nadu State waqf board,
No.1 Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai 01.

4. The Chairman
Tamil Nadu Urdu Academy,
Qauide – Millath Women college,
Chennai 02.



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5. Mohammed Nayeemur Rahman
President/ Muttawali,
Nawab Fazeelathunnisa Begum,
Saheba Mosque and Endowment,
Nandanam, Chennai 35.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioners representation dated 08.11.2022 within a time frame fixed by this Honble court.

For Petitioner : Mr.Shaikh Mehrunisa

For Respondents : Mr.Abdul Mubeen, Walk Board
RR1 & 3
Mrs.R.Anitha, SGP, for R2

ORDER

The writ petition has been filed seeking a direction to the the respondents 1 to 4 to consider the petitioners representation dated 08.11.2022 within a time frame fixed by this Court.

2. It is the contention of the writ petitioner that while conducting Independence day celebration, the 5th respondent has given controversial speech at the mosque premises. Therefore, the petitioner made representation on



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08.11.2022 to the respondents to take action against the 5th respondent.

However, no action has been taken by the respondents. Hence seeks a direction.

3. On a perusal of the representation dated 08.11.2022, the representation is addressed only to the Government. Therefore, now the writ petitioner cannot seek action by the Wakf Board on the said representation.

4. Be that as it may. If at all any speech spoken by the 5th respondent is aimed of creating enmity among the people, the remedy of the petitioner lies elsewhere. He could have proceeded with by producing appropriate evidence before the competent authorities in a manner known to law. The Wakf Board cannot act on the petitioner's representation.

5. It appears that the petitioner is none other than the brother of the 5th respondent and it indicates that there is a dispute over holding the post of President of Nawab Fazeelathunnisa Begum Saheba Mosque and Endowment, Nandanam, Chennai. In such view of the matter, it is well open to the petitioner to approach the appropriate authorities if he is so advised for taking action as per law.



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6. With the above direction, the writ petition is disposed of. No costs.

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Index : Yes/No

To

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