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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.11337 of 2023

S.Mohamed Jaffer

Petitioner

vs.

1.The Tamil Nadu Waqf Board,
Rep. By its Chairman,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

3.Ameerunnisa Begam Sahiba's Endowments,
Rep by its President,
Syed Khaleefathulla,
No.165, Bharathi Salai,
Triplicane, Chennai – 600 005.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to conduct an enquiry under Section 70 and 71 of the Waqf Act, 1995 and pass appropriate order in the petition filed by the petitioner on 06.01.2023, within a period of stipulated time.

For Petitioner : Mr.M.M.I.Khaleel

For Respondents : Mr.Fayaz Ali
Standing Counsel
for R1 & R2

**ORDER**

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This writ petition has been filed by the person who is offering prayer in the Ameerunnisa Bega Sahiba's Pallivasal seeking for the issue of writ of mandamus directing the respondents to conduct enquiry under Section 70 and 71 of the Waqf Act, 1995 (hereinafter referred to as “the Act”) and to take appropriate action based on the petition filed by the petitioner on 06.01.2023, within the time limit fixed by this Court.

2.Heard Mr.M.M.I.Khaleel, learned counsel appearing on behalf of the petitioner and Mr.Fayaz Ali, learned Standing Counsel appearing on behalf of the respondents 1 and 2.

3.The grievance of the petitioner is that the Committee which was appointed pursuant to the scheme decree, is indulging in various activities of maladministration and misappropriation. Hence, the petitioner in his capacity as the person who is offering prayer in the Pallivasal, filed a petition under Section 70 and 71 of the Act seeking for conducting an enquiry by the Waqf Board and to take action. The petitioner has also sought for the modification of the terms of the scheme decree under Section 69 of the Act.



4. Mr. Fayaz Ali, the learned Standing Counsel appearing on behalf of the 1st and 2nd respondents submitted that apart from the complaint given by the petitioner, many other complaints have also been received by the Board and the Board presently is enquiring into all the complaints. The learned Standing Counsel submitted that on the completion of the enquiry, appropriate action will be taken by the Board.

5. In view of the submissions made by the learned Standing Counsel, this writ petition is disposed of with a direction to the 1st and 2nd respondents to complete the enquiry on the complaints received from the petitioner and others and proceed further strictly in accordance with law after affording opportunity to all the parties concerned. A final decision shall be taken, within a period of three months from the date of receipt of copy of this order.

6. This writ petition is disposed of with the above terms. No Costs.

13.04.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
SSR

(1/2)



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N. ANAND VENKATESH, J.

ssr

To

- 1.The Chairman,
Tamil Nadu Waqf Board,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
- 2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
- 3.The President,
Ameerunnisa Begam Sahiba's Endowments,
Syed Khaleefathulla,
No.165, Bharathi Salai,
Triplicane, Chennai – 600 005.

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