



WEB COPY



W.P.No.20188 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.20188 of 2023

A.J.Bahrurudeen

...Petitioner

Vs.

Tamil Nadu Wakf Board
Rep.by its Chairman
No.1 Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai 600 001.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to consider the representation dated 14.12.2022 for execution of fresh lease deed and also to fix rent for the petitioner's possession in wakf land.

For Petitioner : Mr.A.K.T.Mohammed Kaliffathulla

For Respondent : Mr.R.Abdul Mubeen
Standing Counsel for Wakf Board



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ORDER

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The petitioner seeks a direction to the respondent to consider his representation dated 14.12.2022 for execution of fresh lease deed.

2. According to the petitioner, the land in S.No.1702 situated in Nagapattinam belongs to the Athukaral Musthapa Ila-Irulathil Murthala Trust Wakf. The petitioner's father had taken possession of land under lease arrangement in the year 1974 agreeing to pay rent to the above Wakf. The petitioner's father also put up superstructure and the petitioner's family is residing in the Wakf land. It is also stated by the petitioner that during life time of his father, he paid rent. Thereafter there is no renewal of lease and the fair rent has also not been fixed and therefore, he has not paid the rent. Now, the petitioner submitted a representation to the respondent/wakf board on 14.12.2022 requesting the wakf board to renew the lease by fixing fair rent.

3. Mr.R.Abdul Mubeen, learned Standing Counsel takes notice for the respondent and on instructions submitted that inspection of survey land and fixation of fair rent has to be done by Muthawalli with approval of board.



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4. In view of the limited prayer made in this Writ Petition, without expressing any opinion on the merits of the case, this Court is inclined to issue a direction to the respondent to consider the representation of the petitioner dated 14.12.2022 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

10.07.2023

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

To

The Chairman
No.1 Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai 600 001.



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S.SOUNTHAR, J.
dna

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