



WEB COPY



W.P.No.21174 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.21174 of 2023

Janab S.Tanveer Ahmed

...Petitioner

Vs.

1.The Chairman

Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai 600 001.

2.The Chief Executive Officer

Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai 600 001.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 & 2 to consider the petitioner's representation dated 20.02.2023 within a period of stipulated time.



W.P.No.21174 of 2023

For Petitioner : Mr.M.M.I.Khaleel
For Respondents : Mr.Fakkir Mohideen
Standing Counsel (Wakf)

ORDER

The petitioner herein seeks a direction to the respondents 1 & 2 to consider his representation dated 20.02.2023 within a stipulated time.

2. According to the petitioner, Nazuk Rathan Be Dargah is a surveyed and notified wakf having G.S.No.439. The rule of succession to the Muthawalliship is hereditary according to custom and usage. The forefathers of the petitioner said to have managed the wakf. It is further stated by the petitioner that subsequently some person obtained an order for appointment of Adhoc Committee without the knowledge of the petitioner. Thereafter, the first respondent had taken over the direct management of the wakf on 26.02.2021. Initially the first respondent had taken over the management for a period of one year and the said period is already over.

3. In such circumstances, the petitioner submitted a representation dated 20.02.2023 to the respondents 1 & 2 seeking his appointment of Muthawalli of the wakf. The main grievance of the petitioner is that the



W.P.No.21174 of 2023

representation dated 20.02.2023 has not been considered sofar by the first respondent.

4. Mr. Fakkir Mohideen, learned Standing Counsel takes notice for the respondents.

5. 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 first respondent to consider the representation of the petitioner dated 20.02.2023 on merits and pass final orders, within a period of 12 weeks from the date of receipt of copy of this order.

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

18.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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S.SOUNTHAR, J.

dna

To

- 1.The Chairman
Tamil Nadu Wakf Board
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Chennai 600 001.
- 2.The Chief Executive Officer
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