



W.P.(MD)No.23707 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.23707 of 2023

R.Akbar,
The Secretary,
Abubaker Siddik (Rali) Jumma Pallivasal,
No.694, Main Road, Madakkupatti,
Sivagangai Taluk,
Sivagangai District.

... Petitioner

versus

The Tamil Nadu Waqf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffer Shirag Street,
Vallal Seethakathi Nagar,
Chennai.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondent to take on file and record the change in management of the Abubaker Siddik (Rali) Jumma Pallivasal (G.S.No.299/2021/RMD) by considering the petitioner's statutory application dated 07.09.2023 under Section 42 of the Waqf Act, 1995 within the time that may be



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stipulated by this Court.

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For Petitioner : Mr.M.Mahaboob Athiff
For Respondent : Mr.N.Mohideen Basa
Standing Counsel

ORDER

This writ petition is filed for a Mandamus, directing the respondent to take on file and record the change in management of the Abubaker Siddik (Rali) Jumma Pallivasal (G.S.No.299/2021/RMD) by considering the petitioner's application dated 07.09.2023 under Section 42 of the Waqf Act, 1995.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submits that pursuant to the direction of this Court in W.P.(MD)No.22535 of 2022 dated 19.04.2023, an election was conducted and the petitioner has been elected as Mutawalli of the Waqf. The change of management needs to be registered by the Waqf Board under Section 42 of the Waqf Act, 1992. Therefore, the petitioner has submitted an application dated



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07.09.2023 to the respondent to register the change in management of the Abubaker Siddik (Rali) Jumma Pallivasal, as per Section 42 of the Waqf Act.

3. The learned Standing Counsel for the Waqf Board, who takes notice for the respondent, requests for eight weeks time to consider the petitioner's application dated 07.09.2023.

4. Recording the submission of the learned Standing Counsel for the Waqf Board, this writ petition is disposed of, with a direction to the respondent to take a decision on the petitioner's application dated 07.09.2023, filed under Section 42 of the Waqf Act, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

03.10.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



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B.PUGALENDHI, J.

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To

The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffer Shirag Street,
Vallal Seethakathi Nagar,
Chennai.

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