



W.P.(MD)No.27321 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.27321 of 2023

1. Biram Baig
2. A.Mohamed Farith Baig ... Petitioners

versus

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jafer Sarangi Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

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

3. The Superintendent,
Tamil Nadu Wakf Board,
Town Hall Road Mosque 2nd Floor,
Madurai – 625 001. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India,



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seeking for the issuance of Writ of Mandamus, to direct the respondents 1 and 2 to elect the petitioners as 2 members in the 5 Members Committee to administer Dindigul Begambur Mosque and Dhargah properties and other activities and thereupon to appoint one of them as Muthavalli/Secretary and another one of the petitioner as Treasurer for the Dindigul Begambur Mosque and Dhargah Committee for 5 years from 2023 or 2024 as per the Court's Scheme and the Resolution of the Board dated 17.03.2023.

For Petitioners : Mr.VR.Venkatesan

For Respondents : Mr.D.S.Haroon Rasheed,
Standing Counsel

ORDER

The petitioners have filed this writ petition for a Mandamus directing the respondents 1 and 2 to elect them as one of members in the Five Members Committee to administer Dindigul Begambur Mosque and Dhargah properties and other activities and thereupon to appoint one of them as Muthavalli/Secretary and another one as Treasurer for the Dindigul Begambur Mosque and Dhargah Committee for 5 years from 2023 or 2024 as per the Court's Scheme and the



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Resolution of the Board dated 17.03.2023.

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2. The learned counsel appearing for the petitioners submits that the petitioners are descendants of the Tippu Sultan, who gifted so many properties to Dindigul Begumbur Mosque. Now, the Wakf Board has called for applications to elect members in Five Members Committee to administer Dindigul Begambur Mosque and Dhargah properties at the ratio of 3:2 and the petitioners have also submitted an application on 27.10.2023 in the capacity of Hugdars, who are entitled to administer Dindigul Begambur Mosque and Dhargah properties. Thereafter, the petitioners have also sent a representation on 30.10.2023 to the respondents requesting them to consider their applications and to appoint one of them as a member of the Five Members Committee and to appoint another one as Mutavalli/Secretary/treasurer of the Dhargah. Since the said representation has not been considered, the petitioners have filed the present writ petition.



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WEB COPY 3. Mr.D.S.Haroon Rasheed, learned Standing Counsel, takes notice for the respondents and submits that one Haja Mohaideenm a resident of Begambur, has already filed a writ petition before this Court in W.P.(MD)No.14032 of 2023, challenging the order of the Wakf Board dated 26.10.2022 appointing the adhoc committee for administration of the Begampur Mosque and Dharga. This Court, by order dated 12.09.2023, disposed of the writ petition with a direction to the Wakf Board to complete the selection process within a period of three months. As per the order of this Court dated 12.09.2023, the selection process has already been started and applications have also been invited. The Wakf Board has to appoint Five Members Committee, out of which, three members should be selected from Non-Hugdars and two members from Hugdars. As on date, 34 applications have been received from the general public, namely, Non-Hugdars and three applications have been received from Hugdars and the Wakf Board has to scrutinize their eligibility criteria. He further submits that



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the Committee would be constituted within a period of three months as directed by this Court in W.P.(MD)No.14032 of 2023 dated 12.09.2023.

4. Recording the submission of the learned Standing Counsel appearing for the Wakf Board, this writ petition is closed. No costs.

16.11.2023

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

To

1. The Chairman,
Tamil Nadu Wakf Board,
No.1, Jafer Sarangi Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Sarangi Street,
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3. The Superintendent,
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(2/2)

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