



W.P.No.3730 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.3730 of 2020

and

WMP.No.4400 of 2020

Syed Abdul Rasheed
Hereditary Muthavalli of
Khadijabi Thakya and Kabarasthan.

...Petitioner

Vs.

1. The Chairman,
Tamil Nadu Wakf Board,
Chennai – 600 001.
2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
Chennai – 600 001.
3. The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Vellore Region, Vellore District.
4. The District Collector,
Vellore, Vellore District.
5. The District Collector,
Ranipet, Ranipet District.
6. The Tahsildar,
Wallajapet Taluk, Vellore District.



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7. The Village Administrative Officer,
Veppur Village, Wallajapet Taluk,
Vellore District.

8. The District Registrar (Administrator),
Arakonam Region, Vellore District.

9. The Sub-Registrar,
Arcot Sub-Registrar Office,
Arcot, Vellore District.

10. M.Balu

11. M.Babu

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to take appropriate action to retrieve the wakf lands measuring 2 acres and 54 cents in S.No.297 of Veppur Village, Walaja Taluk, previously Vellore District and presently Ranipet District by taking appropriate action against the respondents 10 and 11 herein and handover the said lands to the petitioner by considering the representation dated 05.12.2019 land grabbing.

For Petitioner : Mr.A.Ilayaperumal

For Respondents : Mr.Mohamed Fayaz Ali, SC, for R1 to R3
: Mr.U.Bharanidharan, AGP, for R4 to R7
: Mr.LSM.Hasan Fizal, AGP, for R8 & R9
: Not ready notice, for R10 & R11

ORDER

This Writ petition has been filed seeking direction to the 1st & 2nd respondents to consider the petitioner's representation dated 05.12.2019 and



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to consequently take appropriate action against the 10th and 11th respondents and retrieve the wakf lands measuring 2 acres and 54 cents in S.No.297 at Veppur Village, Walaja Taluk, Ranipet District and handover the same to the petitioner.

2. The case of the petitioner is that, the petitioner is a Senior citizen and he is the Hereditary Muthavalli of Khadijabi Thakya and Kabarasthan. There are several lands available in the Veppur Village which belongs to the said Khadijabi Thakya and Kabarasthan. While so, the lands measuring an extent 2 acres and 54 cents in S.No.297 at Veppur Village, Walaja Taluk, Ranipet District which belongs to the said Khadijabi Thakya and Kabarasthan were illegally encroached by the 10th and 11th respondents herein. Thereby, the petitioner being the Muthavalli made several representations seeking to remove the encroachments made by the 10th and 11th respondents and the last representation made by the petitioner was on 05.12.2019 before the 1st and 2nd respondents, seeking to retrieve the lands which belong to the petitioner's wakf and handover the same to the petitioner. However, till date, no orders have been passed on the said representation. Hence, this Writ petition.



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3. Though very many grounds have been raised, learned counsel for the petitioner submitted that it would suffice if this Court issues direction to the 1st and 2nd respondents to consider the petitioner's representation dated 05.12.2019 and to consequently take appropriate action against the 10th and 11th respondents and retrieve the wakf lands measuring 2 acres and 54 cents comprised in S.No.297 situated at Veppur Village, Walaja Taluk, Ranipet District and handover the same to the petitioner.

4. Learned counsel appearing for the respective respondents submitted that, appropriate orders will be passed on the petitioner's representation dated 05.12.2019 within the time stipulated by this Court.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the petitioner to send a copy of the representation dated 05.12.2019 to the 1st and 2nd respondents along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the 1st and 2nd respondents shall consider the same on merits and in accordance with law and pass appropriate orders, within a period of four (4) weeks thereafter,



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after conducting proper enquiry by affording an opportunity of personal hearing to the petitioner, the 10th and 11th respondents and other aggrieved persons, if any.

6. Accordingly, this Writ petition stands disposed of. No costs. Consequently, the connected Miscellaneous petition is closed.

06.08.2024

skt

NCC : Yes/ No
Speaking Order : Yes/ No
Index : Yes/ No

To

1. The Chairman,
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Chennai – 600 001.
2. The Chief Executive Officer,
Tamil Nadu Wakf Board,
Chennai – 600 001.
3. The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Vellore Region, Vellore District.

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4. The District Collector,
Vellore, Vellore District.

5. The District Collector,
Ranipet, Ranipet District.

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7. The Village Administrative Officer,
Veppur Village, Wallajapet Taluk,
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M.DHANDAPANI, J.

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