



W.P. No. 7508 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

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B.T.Noordeen

... Petitioner

-VS-

1. The Tamil Nadu Waqf Board,
Represented by its Chairman,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
3. Nagore Dargah Sheriff,
Represented by its Managing Trustee,
Nagore Dargah Office,
Nagore - 611 002,
Nagapattinam District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First and Second Respondents to consider the representation dated 11.03.2024 before the expiry of the term of advisory committee members, i.e., on 21.03.2024.



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For Petitioner : Mr. S.V.Karthikeyan
For Respondents : Mr. Mohamed Fayaz Ali,
Standing Counsel (for R1 & R2)
Ms. Ajimath Begum (for R3)

ORDER

Heard S.V.Karthikeyan, Learned Counsel for the Petitioner, Mr. Mohamed Fayaz Ali, Learned Standing Counsel, who takes notice for the First and Second Respondents, and Ms. Ajimath Begum, Learned Counsel, who takes notice for the Third Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the First and Second Respondents to consider the representation dated 11.03.2024 made by the Petitioner before the expiry of the term of the Members of Advisory Committee, i.e., on 21.03.2024.

3. In response, the First and Second Respondents has filed memo dated 19.03.2024 stating as follows:-



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1. *I respectfully submit that the subject Waqf namely Nagore Dargha bearing GS No. 182/TNJ. The subject waqf is under the supervisory control of the Tamil Nadu Waqf Board.*

2. *I respectfully submit that the Board Meeting of the Tamil Nadu Waqf Board shall be held after the model code of conduct is lifted after the process of the Parliamentary election is completed. The Board Meeting is anticipated to take place in June, 2024. Following that, the Petitioner's representation will be taken into consideration, and within four weeks, orders will be passed.*

3. *I respectfully submit that the existing Advisory Board Members of the Tamil Nadu Waqf Board will remain in their roles and fulfill their duties until the Tamil Nadu Waqf Board appoints new members to replace them. This implies that there will be no immediate changes in the composition of the Advisory Board Members, and the existing members will continue to provide guidance, support, and expertise to the Waqf Board until their replacements are officially chosen.*

4. *I respectfully submit that it may take time to resolve this dispute because of the code of conduct of the election would come*



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into force and no Board meeting would be conducted during this

WEB COPY *period of the parliamentary election."*

In view of the aforesaid submissions made, it would be incumbent upon the First and Second Respondents to carry out the obligations undertaken and nothing remains for further consideration in the Writ Petition. In the event of any further grievance, the Petitioner is not precluded from working out his remedies before the proper forum in the manner recognized by law.

In the result, the Writ Petition is disposed with the aforesaid observations. No costs.

19.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 20.03.2024.

vjt

To

1. The Chairman,
Tamil Nadu Waqf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.



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2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No. 1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai - 600 001.
3. The Managing Trustee,
Nagore Dargah Sheriff,
Nagore Dargah Office,
Nagore - 611 002,
Nagapattinam District.



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P.D. AUDIKESAVALU, J.

vjt

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