



W.P.No.9584 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.9584 of 2024

Ellapuram Masjid Popularly called
known as Ellapuram Jamia Masjid
represented by its President
Mr.M.A.K. Sheik Fareed
Ellapuram village, Periyapalayam Post
Uthukottai road, Uthukottai Taluk,
Thiruvallur District – 601 102

...Petitioner

Vs

1. The Chairman
Tamil Nadu Wakf Board
No.1, Jaffar Syrang Street,
Vallal Seethakatthi Nagar,
Chennai 600 001.

2. The Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jaffar Syrang Street,
Vallal Seethakatthi Nagar,
Chennai 600 001.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to amend the title deed No.121 as Title Deed No.1211 in the Proforma Report of the Petitioner Wakf and to register/includes the Item Nos.I and II of the petitioner's properties as additional properties in the Proforma Report of the petitioner wakf by considering the petitioner's representation dated 20.02.2024 within a period as stipulated by this Hon'ble Court and pass orders.

For Petitioner : Mr. L. Gavaskar

For Respondents : Mr.M .Fakkir Mohideen,
Standing Counsel

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to consider the petitioner's representation dated 20.02.2024 and pass orders.



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2. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the properties situated in Survey No.26 at Uthukottai Road, Ellapuram Village, Uthukottai Taluk Thiruvallur District measuring to an extent of 2 hectares and 47 ares and another property situated in Survey No.15, situated at Uthukottai Road, Ellapuram Village, Uthukottai Taluk Thiruvallur District belongs to petitioner. For the above properties patta has been granted in Patta No.25 and 26 and the said properties are registered with “A” register and the above properties are referred as Item No.1 and Item No.II. respectively. The grievance of the petitioner is that it is mandatory to register all Wakf properties to register with the Tamil Nadu Wakf Board. However, inadvertently the properties are not registered with the Wakf Board. The further grievance of the petitioner is that the actual title deed for the petitioner wakf is title deed No.1211 but at the time of preparing the proforma of the petitioner Wakf, inadvertently mentioned the title deed No.121 instead of mentioned as Title Deed No.1211. Hence, it is necessary to amend the title deed No.121 as title deed No.1211 in the



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proforma report of the petitioner Wakf. Therefore, the petitioner gave a representation to the respondent on 20.02.2024, however, the same was not considered. Hence this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondent to consider the petitioner's representation dated 20.02.2024 and pass orders.

5. The learned standing counsel appearing for the respondents submitted that they will consider the case of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 20.02.2024 and pass orders on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order.



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7. With the aforesaid direction, this Writ Petition stands disposed
of. No costs.

08.04.2024

Index: Yes/No
Speaking order/Non-speaking order
smn

To
1. The Chairman
Tamil Nadu Wakf Board
No.1, Jaffar Syrang Street,
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2. The Chief Executive Officer
Tamil Nadu Wakf Board
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V.BHAVANI SUBBAROYAN,J.

smn

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