



W.P.No.11751 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.11751 of 2024

M. Mohammed Sahid

...Petitioner

Vs

1. The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai-1

2. The Chairman of Wakf Board,
Tamil Nadu Waqf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai-1

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to dispose the representation dated 27.02.2024 within a stipulated period and pass orders.

For Petitioner

: Mr. K.J.Shiva ARudhra



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W.P.No.11751 of 2024

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 27.02.2024 and pass orders.

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 petitioner is the absolved owner of the subject property and the same was confirmed by this Court in S.A.No.1466 to 1468 of 1992 dated 30.01.1997. While so some third parties are trying to encroach the subject property and the petitioner was not able to take possession of the property. Hence the petitioner filed a W.P.No.10704 of 2022 to seek police protection and the same was allowed vide order dated 11.07.2023. Thereafter, the petitioner has sent a proposal by way of representation dated 27.02.2024 to the first respondent for grant of approval to construct houses and other commercial shops. However, till date no orders was passed in the petitioner's representation. Hence this petition.

4. The learned counsel for the petitioner submitted that it would be



W.P.No.11751 of 2024

suffice if this Court issues a direction to the first respondent to consider the petitioner's representation dated 27.02.2024 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 27.02.2024 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

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

30.04.2024

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

V.BHAVANI SUBBAROYAN,J.



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W.P.No.11751 of 2024

smn

To

1. The Chief Executive Officer,
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Chennai-1

2. The Chairman of Wakf Board,
Tamil Nadu Waqf Board,
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W.P.No.11751 of 2024

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