



WEB COPY



W.P.No. 12478 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.12478 of 2024

A.J.Baghrudeen

.. Petitioner

Versus

1. Tamil Nadu Wakf Board,
Represented by its Chairman,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Ngar,
Chennai – 600 001.

2. Muthavalli

...Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the first and second respondents to consider the representations given by the petitioner dated 07.11.2023 and 28.03.2024 for execution lease deed in favour of petitioner for the property comprised in T.S.No.1569/1 and 1569/2 measuring extent of 1.28 acres situated at Nagoor Municipality Nagapatinam District and pass orders.

For Petitioner

: Mr.S. Murali Krishnan



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For Respondent-1

: Mr. Mohamed Fayaz Ali
standing counsel

ORDER

This petition is filed to seeking a writ of Mandamus directing the first and second respondents to consider the representations given by the petitioner dated 07.11.2023 and 28.03.2024 for execution of lease deed in favour of petitioner for the property comprised in T.S.No.1569/1 and 1569/2 measuring extent of 1.28 acres situated at Nagoor Municipality Nagapattinam District.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.The facts of the case is that the property comprised in T.S.No.1569/1 and 1569/2 measuring to the extent of 1.28 acres situated at Nagoor Municipality of Nagapattinam District is originally dedicated by non muslim in favor of Mohammed Ali Thiruvasal Wakf, which is registered under the Tamil Nadu Wakf Board. The said wakf is



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administered by its Muthawalli. The petitioner is a local resident and he requires the subject property for lease, for which he has given a representation on 07.11.2023 and 28.03.2024 to the first respondent. However, the same was not considered till date. 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 07.11.2023 and 28.03.2024 and pass orders.

5. The learned Standing Counsel appearing for the respondent submitted that in the representation of the petitioner he has not specified about the period of lease rather he has just stated that he requires the subject property for lease which will not be suffice to consider the case. He further submitted if the petitioner give fresh representation they will consider and take action in the manner known to law.



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6. For the foregoing reasons this Court directs the petitioner to give a fresh representation specifying the period of lease as 11 months. After the receipt of the representation the first respondent is hereby directed to consider the representation of the petitioner and pass appropriate orders within a period of twelve weeks from the date of fresh representation made by the petitioner.

7. With the aforesaid direction, this writ petition is disposed of. No order as to costs.

30.04.2024

Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

smn

To

Tamil Nadu Wakf Board,
No.1 Jaffer Syrang Street,
Vallal Seethakathi Ngar,
Chennai – 600 001.



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V.BHAVANI SUBBAROYAN, J.

smn

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