



WEB COPY



W.P.No.15952 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.15952 of 2024

and

W.M.P.No.17417 of 2024

1.B.Selvi

2.B.Prasanth

3.B.Pradeep

Represented by its Power Agent

Mohanraj

... Petitioners

Vs.

The Chief Executive Officer,

Tamil Nadu Waqf Board,

No.1, Jafar Syrang Road,

Vallal Seethakathi Nagar,

Chennai – 600 001.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondent herein to pass orders pursuant to the petitioner's reminder representation dated 11.06.2024 within a stipulated period of time prescribed by this court.



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For Petitioners : Mr.R.Sunilkumar

For Respondent : Mr.G.Mohammed Aseef
Standing Counsel

ORDER

This Writ Petition has been filed by the petitioners seeking for a Writ of Mandamus, to direct the respondent herein to pass orders pursuant to the petitioner's reminder representation dated 11.06.2024 within a stipulated period of time prescribed by this court.

2. Mr.G.Mohammed Aseef, learned Standing Counsel, accepts notice on behalf of the respondent. In view of the consent expressed by the learned counsel for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioners is that, originally the subject property was purchased by one Baskar, the husband of the 1st petitioner and the said Baskar gifted the said property to his youngest son namely Praveen by way of Gift Deed Document bearing Reg.No.5669 of 2007 on



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the file of SRO, Walajapet. When the said Praveen decided to alienate the property, he found that there was a bar to register the property as the subject property belongs to Waqf Board, thereby, he has given a representation with sufficient evidence to the respondent on 30.09.2023 to issue NOC in favour of the subject property to register a sale deed as the subject property does not belong to Waqf Board and the same was received. On 06.11.2023, the respondent instructed the Tahsildar, Walajapet to inspect the subject property and file a report. In the meantime, the said Praveen had executed a release deed in favour of the petitioner's bearing Doc.No.6463 of 2023 on the file of SRO, Walajapet. The petitioners in turn have executed a power of attorney pertains to the subject property to the petitioner herein. After conducting inspection, the said representation was kept pending without passing any orders. Therefore, the petitioners have given a reminder representation on 11.06.2024 to the respondent. Since the same was not considered, the petitioners have filed this writ petition before this court.

4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioners submitted that, it would



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suffice, if this Court issues a direction to the respondent to consider the representation of the petitioners dated 11.06.2024 and pass appropriate orders, within a time frame that may be stipulated by this court.

5. Considering the limited request made by the learned counsel for the petitioners, this court, without going into the merits of the case, directs the respondent to consider the representation of the petitioners dated 11.06.2024 on merits and in accordance with law and pass appropriate orders, within a period of eight (8) weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioners and aggrieved persons, if any.

6. With the above direction, this writ petition is disposed of. No costs.

28.10.2024
(2/2)

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
sp



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To
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The Chief Executive Officer,
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M.DHANDAPANI, J.

In view of amendment to the Court fee rules, this petition is allowed, subject to payment of single Court fee, within a period of two weeks, from the date of receipt of a copy of this order, failing which this order shall be applicable only to the first petitioner.

sp

28.10.2024
(¹/₂)