



WEB COPY



W.P.No.25527 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.25527 of 2024

Dowlath Khan
President/MUthawalli,
Ajuman-E-Islamiya Jamiya Masjid,
52, Pettai,
Namakkal – 637 001.

...Petitioner

Vs.

1. The Tamil Nadu Wawf Board,
Rep. 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. Sheik Naveed

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st and 2nd respondents to complete the enquiry in R.C.No.14879/07/B2/Nmkl dated 17.03.2023.



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For Petitioner : M/s. A.Ajimath Begam

For Respondents : Mr.Haja Mohideen Gisthi for R1 and R2

ORDER

This writ petition has been filed seeking to direct the respondents 1 and 2 to complete the enquiry in R.C.No.14879/07/B2/Nmkl dated 17.03.2023.

2. It is the case of the petitioner that the he is the President of the Anjuman-E-Islamia Masjid. The said Masjid is a Waqf property under the Tamil Nadu Waqf Board's supervision. The board appointed Adhoc committee, formerly chaired by the third respondent to manage the Waqf. Since the third respondent was misappropriating the funds of the Waqf, the petitioner made a complaint before the first respondent on 29.11.2021 as against the third respondent. However, the same was not considered. Whiles, the petitioner filed a writ petition before this Court to direct the first respondent to consider the petitioner's representation and pursuant to the direction issued by this Court, the second respondent initiated an enquiry. However, till date the enquiry was not completed. Hence the present petition has been filed by the petitioner seeking the aforesaid relief.



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3. Since no adverse order has been passed against the third respondent, notice to the third respondent is dispensed with.

4. Though very many grounds have been raised in the present writ petition, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondents 1 and 2 to complete the enquiry in R.C.No.14879/07/B2/Nmkl dated 17.03.2023 and pass appropriate orders within the time frame that may be fixed by this Court.

5. The counsel appearing for the respondents 1 and 2 submits that the enquiry will be completed in the manner known to law.

6. Heard the learned counsel appearing on either side and perused the materials placed on record.

7. Considering the facts and circumstances of the case, this Court without going into the merits of the case directs the respondents 1 and 2 to



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complete the enquiry in R.C.No.14879/07/B2/Nmkl dated 17.03.2023 pass appropriate orders on merits and in accordance with law and after affording an opportunity of hearing to the petitioner as well as the aggrieved persons if any especially the third respondent within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. With the above observation and direction, this writ petition is disposed of. No costs.

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To:

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M.DHANDAPANI, J.



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