



WEB COPY



W.P.No.27781 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27781 of 2024

And

M.P.No.30293 of 2024

A.J.Mohammed Fazil

... Petitioner

Vs.

1.The Chairman

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

2.The Chief Executive Officer,

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

3.A.J.Mohamed Iqbal

4.S.Liyagath Ali

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to remove the fourth respondent from his position as Muthawalli of Jumma Majid Wakf for his acts of encroachment over 1 acre out of 5.50 acres of Wakf estate situated at No.1, Karunapuram, Kallakurichi, Survey Nos. 129/3B, 129/7, 256/2 and 257/2, which



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constitutes a breach of Sections 64(1) (h) and (k) of The Wakf Act, 1995.

For Petitioner : Mr.D.Sai Kumaran
For Respondents : Mr.Avinash Wadhwani for R1 and R2

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 and 2 to remove the fourth respondent from his position as Muthawalli of Jumma Majid Wakf for his acts of encroachment over 1 acre out of 5.50 acres of Wakf estate situated at No.1, Karunapuram, Kallakurichi, Survey Nos. 129/3B, 129/7, 256/2 and 257/2, which constitutes a breach of Sections 64(1) (h) and (k) of The Wakf Act, 1995.

2.The learned counsel appearing for the petitioner submitted that the petitioner made representation to the respondents 1 and 2 seeking to take action against the fourth respondent since the fourth respondent encroached nearly 1 acre of the lands belonging to Jumma Majid Wakf, however, the said representation has not yet been considered.

3.The learned counsel appearing for the respondents 1 and 2



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submitted that the respondents 1 and 2 have initiated enquiry proceedings based on the representation made by the petitioner.

4.In view of the above, this Court without going into the merits of the case, directs the respondents 1 and 2 to complete the enquiry and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5.The writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

24.09.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

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

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Chennai – 600 001.

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M.DHANDAPANI,J.
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And
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