



WEB COPY



W.P.No.28377 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.28377 of 2024

T.Zakir Hussain

... Petitioner

Vs.

1.The Tamil Nadu Wakf Board,
Represented by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai-600 001.

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

3.Dilshad Begum

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to complete the enquiry pursuant to the show cause notice issued by the second respondent dated 11.10.2022 and pass final orders as per the order



W.P.No.28377 of 2024

passed by this Court in W.P.No.13878 of 2022 and W.P.No.18052 of 2023 dated 28.11.2023, within a time limit fixed by this Court.

For Petitioner : Mr.Y.Kaja Navas
For Respondents : Mr.S.Haja Mohideen Gisthi
Senior Standing Counsel
for R1 and R2

ORDER

This Writ Petition has been filed to direct the respondents 1 and 2 to complete the enquiry pursuant to the show cause notice issued by the second respondent dated 11.10.2022 and pass final orders as per the orders dated 28.11.2023 passed by this Court in W.P.No.13878 of 2022 and W.P.No.18052 of 2023, within a time limit fixed by this Court.

2. The case of the petitioner is that the third respondent, who is the Muthawalli of the Wakf, has mortgaged the Wakf property for a sum of Rs.2.5 Crores and hence, the petitioner has lodged a complaint to the first respondent on 07.09.2021 and made an application under Sections 70 and 71 of the Wakf Act, 1995, to take necessary action against the third respondent



W.P.No.28377 of 2024

WEB COPY

on 18.09.2021, pursuant to which, the second respondent has issued a show cause notice to the third respondent. Challenging the same, the third respondent has filed W.P.No.13878 of 2022 and W.P.No.18052 of 2023 before this Court and this Court disposed both the writ petitions vide orders dated 28.11.2023. Even thereafter, the first respondent has not conducted enquiry as per the orders dated 28.11.2023 passed by this Court in W.P.No.13878 of 2022 and W.P.No.18052 of 2023. Hence, the present writ petition has been filed with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to complete the enquiry pursuant to the show cause notice issued by the second respondent dated 11.10.2022, within a time fixed by this Court.

4. The learned counsel appearing for the respondents has no



W.P.No.28377 of 2024

WEB COPY

serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to complete the enquiry pursuant to the show cause notice issued by the second respondent dated 11.10.2022 within a period of twelve weeks from the date of receipt of a copy of this order and pass appropriate orders on merits and in accordance with law as expeditiously as possible.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

24.09.2024

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



W.P.No.28377 of 2024

WEB COPY

To

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



WEB COPY



W.P.No.28377 of 2024

M.DHANDAPANI, J.

ssb

W.P.No.28377 of 2024

24.09.2024