



W.P.No.30385 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2024

CORAM:

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

W.P.No.30385 of 2019

S.B.Sheik Azeezuddin

...Petitioner

Vs.

1. The Tamil Nadu Wakf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffar Sirang Street,
Vallal Seetakathai Nagar, Chennai - 600 001.

2. The Wakf Superintendent,
Tamil Nadu Wakf Board,
No.139, Dr.Besant Road,
Ice House, Chennai - 600 005.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to consider the petitioner's representation dated 17.06.2019 to direct the first respondent to pass orders in R.C.No.4879/05/B6/Chen on the file of 1st respondent herein within the reasonable time fixed by this Court.

For Petitioner : M/s.E.Mohamed Abbas

For Respondents : Mr.S.B.Sheik Azeezuddin



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ORDER

WEB COPY This writ petition has been filed seeking to direct the first respondent to consider the petitioner's representation dated 17.06.2019 and to pass orders in R.C.No.4879/05/B6/Chen on the file of first respondent herein

2. The case of the petitioner is that Dasthagir Sahib Jamia Masjid and Endowments is a surveyed and notified Wakf, governed under the provisions of the Wakf Act, 1995 and the said Wakf is under the control and supervision of the first respondent. Since 1984, the administration of the said Masjid was under the direct management of Tamil Nadu Wakf Board. In pursuance of the representation given by jamath members, the Tamil Nadu Wakf Board issued a notification dated 16.03.2001 for conducting elections. Pursuant to representations made against the committee for various discrepancies, the first respondent ordered for an election vide order dated 05.03.2018 and appointed the second respondent as election officer. The second respondent had invited the voters list for conducting elections. Thereafter, notification dated 01.03.2019 calling for objections to draft voters list for the next elections to the said masjid were put on the notice



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board. Since there were objections, the first respondent herein had initiated enquiry vide proceedings in R.C.No.4879/05/B6/chen in regard to the objections raised by the petitioner. Seeking to pass orders in R.C.No.4879/05/B6/chen dated 15.03.2019, the petitioner made a representation dated 17.06.2019 before the first respondent. However, the same was not considered. Hence, the present writ petition has been filed seeking the aforesaid relief.

3. Though very many grounds have been raised, the learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the first respondent to consider the petitioner's representation dated 17.06.2019 and to pass appropriate orders on the proceedings of the first respondent in R.C.No.4879/05/B6/chen dated 15.03.2019 within the time frame that may be stipulated by this Court.

4. Heard the learned counsel appearing for the respondents and perused the materials placed on record.

5. Taking into consideration the factual aspects of the matter, this



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Court without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 17.06.2019 and to consequently conclude his proceedings in R.C.No.4879/05/B6/chen dated 15.03.2019 and pass appropriate orders on merits and in accordance with law and after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above observation and direction, this Writ Petition is disposed of. No costs.

30.09.2024

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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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