



W.P.No.31288 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31288 of 2024

Nataraj

... 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.Apsar Peeran Shuttari Sahebulla

... 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 consider the petitioner's representation dated 03.07.2024 and remove the third respondent from the management of the Auqaf, frame Scheme under Section 69 of the Waqf Act, 1995 and form a Management Committee consisting of the Descendants of the Beneficiaries of the Auqaf.



W.P.No.31288 of 2024

For Petitioner : Mr.H.Mohamed Ghouse
For Respondents : Mr.Fakkir Mohideen for R1 and R2
Mr.Nassir Hussain for R3

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 03.07.2024 and remove the third respondent from the management of the Auqaf, frame Scheme under Section 69 of the Waqf Act, 1995 and form a Management Committee consisting of the Descendants of the Beneficiaries of the Auqaf.

2.The learned counsel appearing for the petitioner submitted that the petitioner is one of the hereditary descendant of the beneficiaries of Jagir Ammapalayam Waqf and Chettychavadi Waqf and the petitioner and his family members are entitled to receive share from the income of Auqaf and are also eligible to become hereditary Muthawalli, however, the third respondent got himself appointed as Muthawalli and is restraining the petitioner from taking part in the Management of the Auqaf. Hence, the petitioner made representation to the respondents 1 and 2 seeking to remove the third respondent from the management of the Auqaf, however, the same has not yet



W.P.No.31288 of 2024

been considered.

WEB COPY

3.The learned counsel appearing for the petitioner further submitted that this Court without going into the merits of the case, may issue direction to the respondents 1 and 2 to consider the petitioner's representation dated 03.07.2024 and to pass appropriate orders, within a reasonable time frame.

4.Considering the limited request now made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents 1 and 2 to consider the petitioner's representation dated 03.07.2024 on merits and in accordance with law and after providing opportunity to all the necessary parties, pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

5.This writ petition is accordingly disposed of. No costs.

25.10.2024

pri

Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

3/4



WEB COPY



W.P.No.31288 of 2024

M.DHANDAPANI,J.
pri

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,
Chennai – 600 001.

W.P.No.31288 of 2024

25.10.2024