



WEB COPY



W.P.No.34292 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.11.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.34292 of 2024

Mr.M.Shahabudeen

...Petitioner

Vs.

The Tamil Nadu Wakf Board
Rep. By Chairman
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-1

..Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to consider the petitioner representation dated 11.7.2024 to assume direct management of the Hazrath Ali Nishan Wakf Property at Dr.Natesan Road, Triplicane, Chennai-600 014 in order to safeguard it from encroachment and ensure its proper maintenance.

For Petitioner	: M/s.D.Nivetha
For Respondent	: Mr.Mohamed Asif Standing Counsel (Wakf)



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ORDER

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The petitioner herein seeks a direction to respondent to consider his representation dated 11.07.2024 to assume direct management of the Hazrath Ali Nishan Wakf Property at Dr.Natesan Road, Triplicane, Chennai-600 014.

2. It is the case of the petitioner that properties of the above mentioned wakf has not been maintained properly by the present management and hence, he submitted a representation on 11.07.2024 before the respondent seeking assumption of direct control of the wakf under Section 65 of the Wakf Act. The said representation has not been considered. Hence, the petitioner is before this Court.

3. The learned counsel for the petitioner submits that petitioner may be directed to submit a fresh representation before the Superintendent of wakf.

4. The power under Section 65 of the Wakf Act cannot be exercised by the Superintendents of the Wakf. It can be exercised only by the respondent



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herein. Hence, without going into the merits of the claim made by the petitioner, the respondent is directed to consider the representation of the petitioner dated 11.07.2024 and pass final orders on its' own merits within a period of twelve weeks from the date of receipt of copy of this order after issuing necessary notice to the interested parties representing the management of the concerned wakf.

5. With the above directions, this writ petition is disposed of. No costs.

18.11.2024

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

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To

The Tamil Nadu Wakf Board
TheChairman
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-1

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S.SOUNTHAR, J.

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