



WEB COPY



W.P.No.37998 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.37998 of 2024 and
W.M.P.No.41093 of 2024

K.Hassan Ali

... Petitioner

VS.

1.The ChairmanTamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai-001.

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

3.Mohammed Mujeebr Rahman
4.Mohammed Nayeemur Rahman
5.Mohammed Obaidur Rahman
6.M.I. Mohammed Yusuf

..Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, Directing the 1st Respondent herein to conduct an enquiry under Section 70 and 71 of the Wakf Act in Wakf Application dated 05.09.2024 filed by the petitioner within a time frame stipulated by this Hon'ble court.

For Petitioner

For Respondents 1 and 2

: Mr.H. Shabeer Ali.

: Mr.R.Abdul Mubeen

Senior Panel Counsel(Wakf)



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ORDER

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By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to 1st respondent to conduct an enquiry under Sections 70 and 71 of Wakf Act in Wakf Application dated 05.09.2024 filed by the petitioner within a time stipulated by this Court.

3. It is the case of the petitioner that he is one of the direct family descendant of late Nawab Fazeelathunissa Begum Saheba. She executed a Will dated 20.01.1877 and created a Wakf and it is being managed by the Managing Committee appointed under schemes framed in O.S.No.63 of 1940 on the file of Sub-Court, Chengalpet. It is the further case of the petitioner that the accounts of the wakf has not been properly maintained and submitted before the 1st respondent. Therefore, petitioner submitted application on 05.09.2024 seeking action against the concerned Court. The said application has not been considered by the 1st respondent. Therefore, the petitioner has come before this Court.



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4. Mr.R.Abdul Mubeen, leanre Senior Panel Counsel(Wakf) takes notice for the respondents 1 and 2.

5. The respondents 3 to 6 are said to be the members of the managing committee of the concerned wakf. Since no adverse order is passed against the respondents 3 to 6, notice to them is dispensed with.

6. In view of the limited prayer made by the petitioner seeking consideration of the application filed by him, this Court, without going into the merits of the claim, is inclined to direct the 1st respondent to consider the application filed by the petitioner dated 05.09.2024 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 petitioner and private respondents 3 to 6, if the petition is in order.

7. With the above directions, the Writ Petition stands disposed of. No costs.

21.12.2024

Index:Yes/No
Internet:Yes/No
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S.SOUNTHAR, J.

nr

To

1.The Chairman
Tamil Nadu Wakf Board,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai-001.

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

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