



W.P.No.38846 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 18.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.38846 of 2024

and

W.M.P.No.42062 of 2024

- 1.S.R.Anwar
- 2.H.M.Moideen Sait
- 3.S.Sheik Imam
- 4.M.K.Miyan Shafiyullah
- 5.B.Shanavas
- 6.K.Mohamed Babu
- 7.M.Shanavas
- 8.M.Niyamath Khan
- 9.A.Jaber Hameed
- 10.A.Abdul Rahman
11. M.Z.Ubydur Rahman
12. Z.Nasser Ahmed
13. S.R. Emam Moihideen
14. M.Abdul Kani
15. M.P.Mohamed Ali
- 16.K.Mehboob Ali

... Petitioners

vs.

1.The Tamilnadu Waqf Board
Rep By Its Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakadhi Nagar,
Mannady, Chennai-600 001



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2.The Chief Executive Officer
The Tamilnadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakadhi Nagar,
Mannady, Chennai-600 001

3.A.K.Najeer Ahmed

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the 1st respondent from taking any coercive action as against the petitioners without providing a reasonable opportunity pursuant to the Na.Ka.No.15983/08AA2/Salem dated 15.11.2024 and there by direct the 1st respondent to provide the copy of the complaint made by the 3rd respondent

For Petitioner : Mr.M.M.I.Khaleel
for Mr.A.Ajimath Begum
For Respondents 1 and 2 : Mr.Avinash Wedhwani
Standing Counsel(Wakf)

ORDER

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.



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WEB COPY 2. The writ petition is filed seeking issue of writ of mandamus forbearing the 1st respondent from taking any coercive action as against the petitioners without providing reasonable opportunity pursuant to the proceeding enquiry initiated by the 1st respondent in Na.Ka.No.15983/08AA2/Salem dated 15.11.2024 and also seeks further direction to 1st respondent to provide the copy of the complaint made by the 3rd respondent.

3. The 1st petitioner is the Muthawalli of the Jamiya Masjid Trust Board, Salem and the other petitioners are managing committee members of the said Masjid. The 3rd respondent herein appeared to have filed a complaint before the 1st respondent making allegation against the administration of the above mentioned Masjid. Therefore, the 1st respondent initiated enquiry in his proceedings in Na.Ka.No.15983/08AA2/Salem and issued enquiry notice on 15.11.2024 directing the petitioners to appear for enquiry.



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4. The main grievance of the petitioners is that 1st respondent failed to furnish the copy of the complaint made by the 3rd respondent.

5. Mr.Avinash Wedhwani, learned Standing Counsel(Wakf), who takes notice for the respondents 1 and 2, on instructions, submits that copy of the complaint made by the 3rd respondent will be furnished to the petitioners in the next date of hearing. The said statement made by the learned Standing Counsel(wakf) is recorded.

6. In view of the same, the 1st respondent is directed to issue notice to the petitioners intimating the next date of hearing. The petitioners shall appear before the 1st respondent in the next date of hearing and the copy of the complaint made by the 3rd respondent shall be furnished to the petitioners. The petitioners are further directed to co-operate for speedy completion of the enquiry. In any event, enquiry shall be completed by the 1st respondent within a period of six months, from the date of furnishing the copy of the complaint to the petitioners, after affording reasonable opportunity to the petitioners and the 3rd respondent.



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WEB COPY 7. With the above directions, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

18.12.2024
(1/3)

Index: Yes/No
Internet: Yes/No
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To
1. The Tamilnadu Waqf Board
Rep By Its Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakadhi Nagar,
Mannady, Chennai-600 001

2. The Chief Executive Officer
The Tamilnadu Waqf Board,
No.1, Jaffer Syrang Street,
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S.SOUNTHAR, J.

nr

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