



W.P.(MD)No.1121 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.1121 of 2024

M.Faisalkhan Samoji

... Petitioner

Vs.

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Sirang Street,
Vallal Seedhakkadhi Nagar,
Chennai – 600 001.

2.Dhanabal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to invoke Section 52-A of Wakf Act, 1995 as against the second respondent, as well as intimate to Sub-Registrar, Thiruverumbur not to register any document at the instance of the second respondent pertaining to Sha Fazullahsha Kadiri Pallivasal Wakf, in the light of the petitioner's representation dated 12.12.2023 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For R-1 : Mr.G.Chandrasekar



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ORDER

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This Writ Petition is filed praying for a Mandamus, directing the first respondent to invoke Section 52-A of Wakf Act, 1995 as against the second respondent, as well as intimate to Sub-Registrar, Thiruverumbur not to register any document at the instance of the second respondent pertaining to Sha Fazullahsha Kadiri Pallivasal Wakf, in the light of the petitioner's representation dated 12.12.2023.

2. The facts of the case are that the petitioner is Muthavalli of Sha Fazullahsha Kadiri Pallivasal Wakf, situated at Tennur, Trichy. The second respondent is allegedly attempting to illegally grab the wakf property on the strength of forged documents pertaining to the said wakf properties. In this regard, the petitioner submitted a representation dated 12.12.2023 to the first respondent requesting that appropriate action be initiated against the second respondent. Since no action was taken, the present petition is filed.

3. When the matter was taken up for hearing, the learned counsel for the first respondent would submit that the representation of the petitioner would be considered and orders would be passed thereon in accordance with law.



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4. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 12.12.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

5. With the above direction, the Writ Petition stands disposed of. No costs.

07.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Sirang Street,
Vallal Seedhakkadhi Nagar,
Chennai – 600 001.



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MOHAMMED SHAFFIQ, J.

Nsr

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