



WP(MD)No.2091 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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M.Rahmathullah

.. Petitioner

v.

1.Tamil Nadu Waqf Board,
Rep. by its Chairman,
No.1, Jaffersyrang Street,
Chennai – 600 001.

2.The Tamil Nadu Waqf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffersyrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

3.The Superintendent of Waqf,
Regional Office (Tamil Nadu Waqf Board),
No.51/80, K.A.P.Commercial Complex,
Kulavanikarpuram,
Palayangottai,
Tirunelveli District.

4.The Sankarankovil Muslim Sunnath Jamath Committee,
Rep. by its President,
Sankarankovil Taluk, Tenkasi District.

.. Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to conclude the enquiry proceedings and pass appropriate orders in pursuant to the proceedings of the second respondent in Proc.RC.No.4177/03/B1/TNV dated 12.12.2022.

For Petitioner : Mr.S.Mohamed Suhail

For Respondents : Mr.G.Chandrasekar for R.1 to R.3

ORDER

According to the petitioner, he is a member and then Joint Secretary of the fourth respondent Jamath. He was illegally removed from the Jamath and therefore, he has made a representation before the Superintendent of Waqf / third respondent to conduct enquiry. He has also filed a writ petition in WP(MD)No.19617 of 2023 and this Court, by order dated 14.08.2023, disposed of the said writ petition with a direction to the Chief Executive Officer / second respondent herein to conduct enquiry and to pass orders within a period of six weeks.



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2.The petitioner further claims that the second respondent / Chief Executive Officer has conducted enquiry and has forwarded the report to the first respondent on 12.12.2022 for passing necessary orders. The first respondent has not passed any orders on the proceedings forwarded by the second respondent and therefore, the petitioner has moved this writ petition for a mandamus.

3.Mr.G.Chandrasekar, learned Counsel took notice for the respondents 1 to 3 and submitted that the second respondent / Chief Executive Officer is not competent to pass an order of removal and therefore, he has forwarded the enquiry report to the first respondent. He further submitted that the first respondent would pass orders on the report of the second respondent shortly.

4.In view of the above submissions, this writ petition stands disposed of with a direction to the first respondent to pass orders on the report of the second respondent dated 12.12.2022, on merits and in accordance with law, after affording due opportunity of hearing to the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.



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B.PUGALENDHI, J.

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There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
Internet : Yes
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