



W.P.(MD).No.5617 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 20.08.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

**W.P.(MD).No.5617 of 2024**

**and**

**W.M.P.(MD).No.13581 of 2024**

N.Syed Jaheer

... Petitioner

**Vs.**

1.Tamil Nadu Waqf Board,  
Represented by its Chairman,  
No.1, Jaffer Syrang Street,  
Valla Seetharathi Nagar,  
Chennai – 1.

2.The Chief Executive Officer,  
Tamil Nadu Waqf Board,  
No.1, Jaffer Syrang Street,  
Valla Seetharathi Nagar,  
Chennai – 1.

3.The Superintendent of Waqf,  
Trichy Zone,  
No.8/124, Kayeethemillath Salai,  
Palakarai,  
Trichy – 8.

...Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's application dated 07.02.2024 for modification of the



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scheme relating to appointment of administrators to the Hazarath Syed Mustafa Shaheed Aulia Dargha, T.Kalathur under the supervisory control of Trichy Central Zone, within time frame fixed by this Court.

For Petitioner : Mr.T.Vadivelan  
For Respondents : Mr.D.S.Haroon Rasheed  
Standing Counsel

### **ORDER**

The present Writ Petition is filed for Mandamus seeking direction to the respondents to consider the petitioner's application dated 07.02.2024 for modification of the scheme relating to appointment of administrators to the Hazarath Syed Mustafa Shaheed Aulia Dargha, T.Kalathur under the supervisory control of Trichy Central Zone within time frame fixed by this Court.

2. It was submitted by the learned counsel for the petitioner that Hazarath Syed Mustafa Shaheed Aulia Dargha, T.Kalathur comes under the supervisory control of the Tamil Nadu Waqf Board. S.M.N.Ameerudeen was appointed as the Mutawalli of the said Dargha from 1972 and he rendered his service diligently. After his demise, his son N.A.Noordeen acted as Mutawalli of the said Dargha. While so, the Waqf Board framed a scheme to the Dargha,



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wherein, it is stated that the administrator of the Dargha should be elected from the public. Hence, the petitioner and other members of the Dargha submitted a representation dated 07.02.2024 to the respondents for modification of the scheme. Since the said representation was not considered, the present Writ Petition is filed.

3. It was submitted by the learned Standing Counsel for the respondents that the petitioner's representation would be considered and orders would be passed in accordance with law within a period of eight weeks, which was accepted by the learned counsel for the petitioner.

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 respondents herein to consider the petitioner's representation dated 07.02.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and other interested persons/stake holders, within a period of eight (8) 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.



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5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**20.08.2024**

Index : Yes / No  
Internet : Yes/ No  
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**MOHAMMED SHAFFIQ, J.**

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