



W.P.(MD) No.12330 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.12330 of 2024

Syed Ismail

... Petitioner

/vs./

1.The Tamil Nadu Waqf Board,
rep. by its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

2.Hazarathi Fazil Shah Oulia Taika Waqf,
rep. by its Hereditary Muthawali
S.Syed Ahmed Musthafa @ Ahmed

3.Azeem

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 03.12.2022 within a period of stipulated time.

For Petitioner : No appearance

For R1 : Mr.K.Jeyamohan



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ORDER

Heard Mr.K.Jeyamohan, learned counsel for the first respondent.

2.No representation on behalf of the petitioner.

3.The petitioner has filed this writ petition for a Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 03.12.2022.

4.The learned counsel for the first respondent would submit that the writ petition is liable to be dismissed, as pursuant to the notice dated 25.01.2023, a hereditary Muthawalli was appointed on 03.03.2023.

5.It is submitted that the aforesaid appointment was challenged before this Court in W.P.(MD) No.7014 of 2023 by a third party. It is further submitted that the aforesaid writ petition was dismissed on 17.11.2023.

6.Aggrieved by the same, Thaika Palli Jamath, rep. by its President, Kottar and others have approached the Division Bench in W.A.(MD) No.199 of 2024



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and has secured an interim order on 15.02.2024 staying the operation of an order dated 03.03.2023 appointing the hereditary Muthawalli.

7.It is submitted that since the matter is subjudice, question of Wakf Board to proceed further with the enquiry cannot be countenanced.

8.Recording the above submission, the Writ Petition stands dismissed. No costs.

Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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