



W.P.(MD) Nos.17113 & 18438 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) Nos.17113 & 18438 of 2022

K.Imtiaz Mian

... Petitioner in
W.P.(MD) No.17113/22

K.Iliyas Mian

... Petitioner in
W.P.(MD) No.18438/22

Vs.

1.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
George Town,
Chennai - 600 001.

2.The Wakf Superintendent,
Wakf Board,
Tiruchirapalli Fort, Trichy.

... Respondents in both W.Ps.

Prayer in W.P.(MD) No.17113 of 2022: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representations dated 07.12.2019, 18.03.2020, 25.11.2021, 11.06.2022, and 02.07.2022 claiming his appointment as a Hakdar Committee Member and appoint him as a Hakdar Committee Member of Haji Pitchai Mohideen Rowthar Wakf, within a period stipulated by this Court.



W.P.(MD) Nos.17113 & 18438 of 2022

Prayer in W.P.(MD) No.18438 of 2022: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representations dated 13.11.2021, 07.06.2022 and 02.07.2022 claiming his appointment as a Joint Naib Muttawalli and appoint him as a Joint Naib Muttawalli of Haji Pitchai Mohideen Rowthar Wakf, within a period stipulated by this Court.

For Petitioner
in both W.Ps. : M/s.Ayisha Abbas

For Respondents
in both W.Ps. : Mr.D.S.Haroon Rasheed
Standing Counsel

COMMON ORDER

These Writ Petitions have been filed for the following reliefs:

<i>W.P.(MD) No.17113 of 2022</i>	<i>W.P.(MD) No.18438 of 2022</i>
for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representations dated 07.12.2019, 18.03.2020, 25.11.2021, 11.06.2022, and 02.07.2022 claiming his appointment as a Hakdar Committee Member and appoint him as a Hakdar Committee Member of Haji Pitchai Mohideen Rowthar Wakf, within a period stipulated by this Court.	for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representations dated 13.11.2021, 07.06.2022 and 02.07.2022 claiming his appointment as a Joint Naib Muttawalli and appoint him as a Joint Naib Muttawalli of Haji Pitchai Mohideen Rowthar Wakf, within a period stipulated by this Court.



W.P.(MD) Nos.17113 & 18438 of 2022

2. The learned Standing Counsel for the respondents would submit that copies of the representations dated 13.11.2021 and 07.06.2022 have not been furnished. It is submitted that prior to the representations of the petitioners dated 02.07.2022, the Board has passed an order dated 03.06.2022 bearing reference R.C.No.17451/05/B5/Trichy by appointing an Administrative Committee consisting of 8 Hakdars.

3. It is submitted that the aforesaid order of the Board was subjected to the challenge before the Wakf Tribunal, Chennai in O.A.No. 52 of 2022 by one E.Shief Mohamed who claimed to be the Hereditary Muthawalli of Haji Pitchai Mohideen Rowthar Wakf, Palakarai, Trichy. It is submitted that the Wakf Tribunal has set aside the order of the Board dated 03.06.2022, by its order dated 05.10.2023 in O.A.No.52 of 2022 filed by the said E.Shief Mohamed claiming himself as a Hereditary Muthawalli of Haji Pitchai Mohideen Rowthar Wakf.

4. It is further submitted that C.R.P.(MD) No.3001 of 2023 is pending before this Court against the said order of the Wakf Tribunal dated 05.10.2023 and therefore, these Writ Petitions have become infructuous in the light of the subsequent developments.



W.P.(MD) Nos.17113 & 18438 of 2022

WEB COPY 5. Since the issue is now pending before this Court in C.R.P.(MD)

No.3001 of 2023, I do not wish to pass any separate orders in these Writ Petitions at this stage. Suffice to state, it is open for the petitioners to implead themselves in C.R.P.(MD) No.3001 of 2023 that is pending before this Court, to seek appropriate relief.

6. These Writ Petitions are dismissed with the above liberty. No costs.

05.04.2024

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
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Copy To:

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W.P.(MD) Nos.17113 & 18438 of 2022

C.SARAVANAN, J.

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W.P.(MD) Nos.17113 & 18438 of 2022

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