



W.P(MD)No.19438 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.19438 of 2024

and

W.M.P(MD)Nos.16502, 16503 & 16505 of 2024

1.J.Pathar Nisha

2.P.Mohammed Iliyas

... Petitioners

Vs.

1.The Tamil Nadu Waqf Board,
Represented through its Chief Executive Officer,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.

2.The Tamil Nadu Waqf Board,
Represented through its Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.

3.The Superintendent of Waqf,
Tirunelveli.

4.Kattu Bava Sahib Pallivasal @ Peer
Mohammed Sahib Pallivasal,
Represented by the President of Adhoc Committee,
Madurai to Tiruneveli Main Road,
Gangaikondan, Tirunelveli.



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5.Kattu Bava Sahib Pallivasal @ Peer
Mohammed Sahib Pallivasal,
Represented by the Secretary of Adhoc Committee,
Madurai to Tirunelveli Main Road,
Gangaikondan,
Tirunelveli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order of the first respondent in Se.Mu.Aanai. 10808/07/A1/Tiveli, dated 25.07.2024 and quash the same and consequently approve the petitioners as Hereditary Mutawalli of the Kattu Bava Sahib Pallivasal @ Peer Mohammed Sahib Pallivasal by succession and pass such other and further orders as this Court.

For Petitioners : Mr.H.Arumugam

For R-1 to R-3 : Mr.S.A.Ajmal Khan

For R-4 & R-5 : M/s.Ajmath Begam

ORDER

The present writ petition is filed praying for a Writ of Certiorarified Mandamus, to call for the records of the impugned proceeding, dated 25.07.2024, whereby, an Adhoc Committee has been appointed for the period between 02.07.2024 to 01.07.2025 or till the Scheme is framed.



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2. It is submitted by the learned Counsel for the petitioner that in terms of the proforma, they ought to have been appointed as Mutawalli and a representation was also submitted before the respondents 1 to 3, dated 28.03.2024. However, the said representation is yet to be disposed of.

3. In the circumstances, this Court is of the view that the respondents shall dispose of the above representation, within a period of four weeks from the date of receipt of a copy of this order, after affording the petitioners and all other interested parties a reasonable opportunity of hearing.

4. With the above direction, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

14.08.2024

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



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- To
- 1.The Chief Executive Officer,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.
 - 2.The Chairman,
The Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai.
 - 3.The Superintendent of Waqf,
Tirunelveli.
 - 4.The President of Adhoc Committee,
Kattu Bava Sahib Pallivasal @ Peer
Mohammed Sahib Pallivasal,
Madurai to Tirunelveli Main Road,
Gangaikondan, Tirunelveli.
 - 5.The Secretary of Adhoc Committee,
Kattu Bava Sahib Pallivasal @ Peer
Mohammed Sahib Pallivasal,
Madurai to Tirunelveli Main Road,
Gangaikondan,
Tirunelveli.



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MOHAMMED SHAFFIQ, J.

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