



W.P.(MD).No.21087 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2024

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.(MD).No.21087 of 2024

A.Jailabdeen

... Petitioner

Vs.

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

2.The Superintendent of Wakf,
Tamil Nadu Wakf Board,
Thanjavur Wakf Zone,
No. 27, Neethi Nagar,
Divan Street, Court Road,
Thanjavur.

3.The Inspector of Wakf,
Thanjavur District,
Thanjavur.

4.M.Syedullah

...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 1 to 3 to approve the new committee for the Mohideen Andavar Pallivasal situated in Thirukattupalli Village of Boothalur Taluk in Thanjavur District selected vide a resolution dated 06.09.2023 by considering the petitioner's representation dated 09.09.2023.



W.P.(MD).No.21087 of 2024

For Petitioner : Mr.K.Chengiz Khan
For R-1 to R-3 : Mr.K.Jeyamohan
Standing Counsel

ORDER

The present Writ Petition is filed for Mandamus directing the respondents 1 to 3 to approve the new committee for Mohideen Andavar Pallivasal situated in Thirukattupalli Village, Boothalur Taluk, Thanjavur District, which was selected vide resolution dated 06.09.2023 by considering the petitioner's representation dated 09.09.2023.

2. It is submitted by the learned counsel for the petitioner that the petitioner is a member of Mohideen Andavar Pallivasal and regularly paying subscription charges. A committee would be selected once in three years by conducting election in the general body meeting of the mosque. The fourth respondent was elected as the Secretary of the mosque along with other Committee members during the election conducted in the year 2013 and thereafter, no election was conducted. The petitioner and other members of the mosque convened a general body meeting on 06.09.2023 and a new Executive Committee consisting 11 members including the petitioner, was selected vide resolution dated 06.09.2023. The petitioner on behalf of other members



W.P.(MD).No.21087 of 2024

submitted a representation before the respondents 1 to 3 on 09.09.2023 for approval of the said Committee. Since the said representation was not considered, the present Writ Petition has been filed.

3. It was submitted by the learned Standing Counsel for the respondents 1 to 3 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 1 to 3 to consider the petitioner's representation dated 09.09.2023, 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.



W.P.(MD).No.21087 of 2024

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

04.09.2024

Index : Yes / No
Internet : Yes/ No
Lm



WEB COPY



W.P.(MD).No.21087 of 2024

MOHAMMED SHAFFIQ, J.

Lm

W.P.(MD).No.21087 of 2024

04.09.2024