



W.P.(MD) No.23250 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.23250 of 2024
and
W.M.P.(MD) Nos.19692 and 19693 of 2024**

Haji E.M.S.Moula Mohideen

... Petitioner

/vs./

- 1.The Tamil Nadu Wakf Board,
rep by its Chief Executive Officer,
No.1, Jaffer Sirang Street,
Vallal Seethakathi Nagar,
Chennai 1.
- 2.The Chief Executive Officer,
Tamil Nadu Wakf Board,
No.1, Jaffer Sirang Street,
Vallal Seethakathi Nagar,
Chennai 1.
- 3.The Superintendent of Waqf,
Tamil Nadu Waqf Board,
Ramanathapuram Circle,
Ramanathapuram.



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4. Vadakkutheru Jamath Nirvaga Sabhai,
By its President,
19/357, North Street, Keezhakari,
Ramanathapuram District 632 517.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for records of the 1st respondent dt 30/5/23 in Item No.111/23 in RC.No.12959/16/A3/RMD approving the bye law and gazetted on 27/9/23 and quash the same.

For Petitioner : Mr.I.Kowsrr Nissar

For R1 to R3 : Mr.D.S.Haroon Rasheed
Standing Counsel

ORDER

The challenge in this writ petition is to quash the order of the first respondent dated 30.05.2023 in Item No.111/23 in RC.No.12959/16/A3/RMD.

2. When the matter was taken up for hearing, Mr.D.S.Haroon Rasheed, learned Standing Counsel for the respondents 1 to 3 would fairly submit that there are certain mistakes committed while framing a Scheme under Clause 42 and 43. He would further submit that in view of the same, the Board has decided to modify the Scheme invoking the powers under Section 69(4) of the Waqf Act,



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1995. He would also submit that the objections raised by the petitioner would also be considered while hearing the matter for modification of the Scheme.

3. Recording the submission of Mr.D.S.Haroon Rasheed, learned Standing Counsel for the respondents 1 to 3, the Writ Petition stands allowed and the impugned order shall be subject to modification that shall be made by the Waqf Board after hearing the petitioner. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes / No
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