



W.P.(MD)No.24765 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2024

CORAM

**THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

**W.P.(MD)No.24765 of 2024**

**and**

**W.M.P(MD)No.21069 of 2024**

K.Baseer Ahamed

... Petitioner

Vs.

- 1.The Chief Executive Officer,  
Tamil Nadu Wakf Board,  
No.1, Jaffar Syrang Street,  
Vallal Seethakathi Nagar,  
Chennai – 1.
- 2.The Superintendent,  
Tamil Nadu Wakf Board Office,  
Near Kadar Avuliya Pallivasal,  
Thiruvananthapuram Road,  
Payamkottai.  
Thirunelveli – 627 002.
- 3.The Wakf Board Inspector,  
Tamil Nadu Wakf Board Office,  
Near Kadar Avuliya Pallivasal,  
Thiruvananthapuram Road,  
Payamkottai.  
Thirunelveli – 627 002.



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4.A.Mohamed Shariff

... Respondents

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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent not to appoint the fourth respondent herein as a Mutawalli/hereditary Trustee Saday Fakkeer Lalamiyan Pallivasal, Pazhayapettai, Kandiaberi Village, Thirunelveli District by considering the petitioner's objection by way of representation, dated 13.08.2024 and pass appropriate orders within a time stipulated by this Court.

For Petitioner : Mr.D.Nallathambi

For R1 to R3 : M/s.A.Ajmath Begam

### **ORDER**

The present Writ Petition is filed praying for a Mandamus, directing the first respondent not to appoint the fourth respondent herein as a Mutawalli/hereditary Trustee of Saday Fakkeer Lalamiyan Pallivasal, Pazhayapettai, Kandiaberi Village, Thirunelveli District, by considering the petitioner's representation, dated 13.08.2024. In view of the limited relief prayed for and proposed to be granted in the light of facts brought to the notice of this Court, notice to the fourth respondent is dispensed with.



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2. It is submitted by the learned counsel for the petitioner that earlier a writ petition in W.P(MD)No.6374 of 2024 was filed praying for a Mandamus directing the respondent therein to appoint the petitioner herein as Mutawalli by considering his application/representation. This Court vide order dated 15.03.2024 directing the respondents to dispose of the application/representation filed by the petitioner within a period of two months from the date of receipt of a copy of the order.

3. It is submitted by the learned counsel for the respondents 1 to 3 that enquiry in terms of the direction of this Court in W.P.(MD)No.6374 of 2024 dated 15.03.2024 is pending and the representation of the petitioner dated 13.08.2024 seeking not to appoint the fourth respondent as Mutawalli, would also be considered and orders passed thereon in accordance with law. The same is acceded to by the learned counsel for the petitioner.

4. In view thereof, 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 respondent authorities to consider the present representation



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dated 13.08.2024 along with the earlier representation, dated 21.08.2023 and pass orders on merits and in accordance with law, after issuing notice to the petitioner, 4<sup>th</sup> respondent and any other interested parties / stake holders, within a period of four 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.

4. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**21.10.2024**

NCC:yes/no  
Index:yes/no  
Internet:yes/no  
SN



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**MOHAMMED SHAFFIQ, J.**

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