



WEB COPY



W.P.No.6284 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2025

CORAM :

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.6284 of 2025
and W.M.P.Nos.6915 and 6916 of 2025

Siddiq Ali, S/o Mohammed Jaan
85/5, Asath Street, Denkanikottai
Krishnagiri – 635 107.

... Petitioner

-Vs-

1.The Tamil Nadu Wakf Board
Rep.by its Chief Executive Officer
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai-1.

2.The Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai-1.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent dated 25.01.2025 published in the New Indian Express English Daily on 28.01.2025 and quash the same and consequently direct the respondents to appoint Muthawalli to the Hazrath Yarub Dargah, Denkanikottai after issuing proper paper publication and sufficient notice strictly in accordance with law.

For Petitioner : Mr.Syed Aejaaz
For Respondents : Mr.Avinash Wadhwani – for R1 and R2



W.P.No.6284 of 2025

ORDER

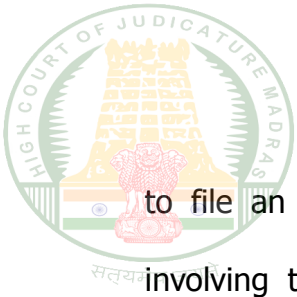
WEB COPY

This writ petition is filed to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent dated 25.01.2025 published in the New Indian Express English Daily on 28.01.2025 and quash the same and consequently direct the respondents to appoint Muthawalli to the Hazrath Yarub Dargah, Denkanikottai after issuing proper paper publication and sufficient notice strictly in accordance with law.

2. The grievance as stated in the affidavit filed in support of the petition is that, the publication itself was made only on 28.01.2025 requesting the persons to submit their applications between 25.01.2025 and 03.02.2025. Therefore, the publication is defective and in view of the short time that is granted, the petitioner is deprived of the opportunity to participate in the selection process because of insufficient notice.

3. When the matter came up for hearing, the learned counsel appearing on behalf of the Wakf Board would submit that the said statement made by the petitioner in the affidavit is incorrect. The petitioner has submitted his application on 03.02.2025 which is within time. Therefore, his grievance of belated publication and insufficient notice does not exist any more.

4. At this juncture, Mr. Jagadish, learned counsel submits that his clients intend



W.P.No.6284 of 2025

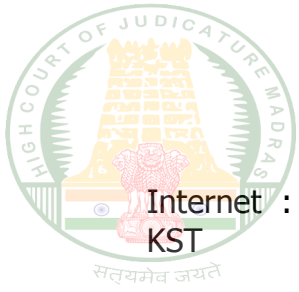
to file an impleading application as they were once parties in a revision petition involving the same Dargah and they have not been impleaded as parties in the present writ petition. He would also submit that he would like to oppose the writ petition on the ground that the petitioner has submitted his application.

5. In reply thereof, the learned counsel for the petitioner would submit that even if the petitioner had filed the application, it would be subject to challenge by third parties since the publication is defective. In that regard, when the publication is made by them in the Notice Board of the concerned Dargah and also by way of paper publication, the grievance of the writ petitioner that there was not enough time is not liable to be redressed, inasmuch as the petitioner has filed his application in time, this writ petition need not be entertained and the petitioner's prayer need not be answered.

6. In view thereof, since the petitioner has already filed his application in time, the grievance as expressed in paragraph 9 of the affidavit turned out to be incorrect and therefore the petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

26.02.2025

Index : Yes/No



Internet : Yes/No
KST

WEB COPY



W.P.No.6284 of 2025

D.BHARATHA CHAKRAVARTHY, J.

KST

To

- 1.The Tamil Nadu Wakf Board
Rep.by its Chief Executive Officer
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai-1.
- 2.The Chief Executive Officer
Tamil Nadu Wakf Board
No.1, Jaffer Syrang Street
Vallal Seethakathi Nagar
Chennai-1.

W.P.No.6284 of 2025



WEB COPY



W.P.No.6284 of 2022

26.02.2025