



WEB COPY



W.P.No.40067 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.40067 of 2024 and
W.M.P.No.43341 of 2024

Jamia Masjid

Rep. By Its Muthavalli Mr.Eshan Ulla Khan,
First Floor, Jamia Masjid Complex,
M.G.Road, Hosur, Krishnagiri District-635 109.

... Petitioner

vs.

1.The Tamilnadu Wakf Board,
Rep. By Its Chief Executive Officer,
No.1, Jaffar Syrang Street,
Vallal Seethakathi Nagar, Chennai-600 001.

2.Superintendent Of Wakf
Salem

3.District Collector
Krishnagiri, Krishnagiri District.

4.The Sub Collector
Office Of The Sub Collector,
Hosur, Hosur Taluk, Krishnagiri District.

5.D.Naveen KumarRespondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent the



W.P.No.40067 of 2024

authority competent under section 54 of the Wakf Act to initiate appropriate legal action to remove the encroachment and retrieve the property comprised in Survey No.366/2A2 in Patta No.644, Mookandapalli Village, Hosur Taluk, Krishnagiri District belongs to Syed Sulaiman Sha Khadri Dargha.

For Petitioner : Mr.S.Sadasharam
For Respondents : Mr.C.Sankar
Standing Counsel(wakf) for R1 and R2
Mr.G.Ameedius, for R3 and R4
Government Advocate

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to 1st respondent to initiate legal action to remove encroachment of the wakf property comprised in Survey No.366/2A2, Patta No.644, Mookandapalli Village, Hosur Taluk, Krishnagiri District .

3. It is the case of the petitioner that above mentioned property belongs to Syed Sulaiman Sha Khadri Dargha and the same is in illegal occupation of one Naveen Kumar. The said fact was brought to the notice of



W.P.No.40067 of 2024

the 1st respondent by the petitioner by his representation dated 05.12. 2024 and the same has not been considered. Hence, the petitioner is before this Court.

4. Mr.C.Sankar, learned Standing Counsel(wakf), takes notice for the respondents 1 and 2 and Mr.G.Ameedius, learned Government Advocate takes notice for the respondents 3 and 4.

5. The learned Standing Counsel (Wakf) for the respondents 1 and 2 submits that the petitioner has not produced the acknowledgement for having submitted the representation before the 1st respondent and hence, if the petitioner is directed to submit a fresh representation, the same will be considered in accordance with law.

6. In view of the same, without going into the merits of the claim made by the petitioner, he is directed to submit a fresh representation to the 1st respondent within a period of two weeks from the date of receipt of copy of this order. If any such representation is made by the petitioner, the same shall be considered by the 1st respondent and final orders shall be passed on its' own merits within a period of eight weeks from the date of receipt of representation after issuing necessary notice to the petitioner and the 5th respondent.



W.P.No.40067 of 2024

WEB COPY

7. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

03.01.2025

Index:Yes/No
Internet:Yes/No
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To

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S.SOUNTHAR, J.

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