



W.P.(MD)No.2874 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.2874 of 2025

and

W.M.P.(MD)No.2023 of 2025

Syed Ahamed Mustafa @ Ahamed

...Petitioner

Vs

- 1.The Tamil Nadu Waqf Board,
Represented by its Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
- 2.The Chief Executive Officer,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.
- 3.The Superintendent of Waqf,
Tamil Nadu Waqf Board,
51/0, K.A.P.Commercial Complex,
Thiruvananthapuram Road,
Kulavanigarpuram Post,
Palayamkottai, Tirunelveli,
Tirunelveli District.



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4.The Inspector of Police,
Kottar Police Station,
Kottar, Nagercoil,
Kanyakumari District.

5.ThaiKa Palli Jamath (Pathans),
Represented by its President,
M.Hameed,
Kottar, Nagercoil,
Kanyakumari District.

6.Malick Dhinarbaithulmal,
Represented by its President,
No.23C/15, Royal Nagar,
V-ways Colony, Vettaroorani,
Nagercoil, Kanyakumari District.

7.Kottarelankadai Muslim Samuthaya Trust,
Represented by its Treasurer,
Kottar, Nagarcoil,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the first respondent to take action as against the respondents 5 to 7 by considering the petitioner's representation dated 08.07.2024 within a period of stipulated time.

For Petitioner : Ms.A.Ajimath Begum

For R-1 to R-3 : Mr.K.K.Senthil



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For R-4 : Ms.M.Aasha
Government Advocate
(Criminal Side)

ORDER

Heard Ms.A.Ajimath Begum, learned counsel for the petitioner, Mr.K.K.Senthil, learned counsel for the respondents 1 to 3 and Ms.M.Aasha, learned Government Advocate (Criminal Side), for the 4th respondent.

2. This Writ Petition is filed praying for a Mandamus, directing the first respondent to take action as against the respondents 5 to 7 by considering the petitioner's representation dated 08.07.2024.

3. Considering the limited relief that has been sought for in the Writ Petition, notice to the respondents 5 to 7 is dispensed with.

4. On perusal of the representation that is sought to be disposed of, it is observed that an encroachment was made to the Waqf property, as evidenced by the receipt of such representation. In such view of the



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matter, there shall be a direction to the first respondent to dispose of the representation made by the petitioner dated 08.07.2024 and pass orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, respondents 5 to 7 and any other interested persons in the issue, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

31.01.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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Kulavanigarpuram Post,
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- 4.The Inspector of Police,
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K.KUMARESH BABU, J.

Nsr

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