



W.P.(MD)No.4582 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4582 of 2025

and

WMP(MD) No.3290 of 2025

N.Syed Zakir

: Petitioner

Vs.

1. Tamilnadu Wakf Board,
Rep. by its the Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai 600 001.

2. The Chief Executive Officer,
Rep. by its the Chairman,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar, Chennai 600 001.

3. The Superintendent of Wakf,
Office of the Trichy Central Wakf
Superintendent,
No. 8/124, 2nd Floor,
Quide Milleth Road, Palakkarai, Trichy 8.

4. Janab. A.Allabaksh @ Mohammed
Executive Trustee /trustee,
Office of Natharsha Pallivasal Dargah,
Natharsha Pallivasal Street,
Madurai Road, Trichy – 8.

: Respondents



W.P.(MD)No.4582 of 2025

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to conclude the enquiry against 4th respondent, relating to the mismanagement and misappropriation of funds of Natharsha Dargah, Natharsha Dargah, Natharsha Pallivasal Street, Madurai Road, Trichy 8 pursuant to the proceedings of the 2nd respondent in Proc. No. 7046/93/B5/TRY dated 24.03.2023.

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.K.K.Senthil

for R1 to R3

M.Mahaboob Athiff for R4

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the first respondent to conclude the enquiry against fourth respondent, relating to the mismanagement and misappropriation of funds of Natharsha Dargah, Tiruchirappalli, pursuant to the proceedings of the second respondent in Proc.No. 7046/93/B5/TRY dated 24.03.2023.

2.Mr.K.K.Senthil, learned counsel, accepts notice on behalf of the respondents 1 to 3 and Mr.Mahaboob Athiff, learned counsel, accepts notice on behalf of the fourth respondent. In view of the consent expressed by the learned counsel for the parties, this writ petition is taken



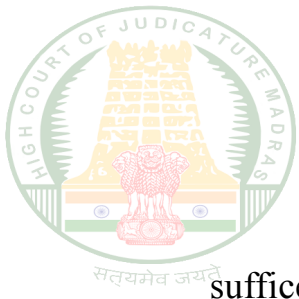
W.P.(MD)No.4582 of 2025

WEB COPY

up for final disposal at the stage of admission itself.

3. The case of the petitioner is that he is a descendant and a member of the 'Natharsha Dargah.' As per the petitioner, out of the five managing trustees, one is appointed as a hereditary trustee based on primogeniture from the male descendants, while another is elected from the members of the branch. The petitioner's complaint is that the fourth respondent has been involved in the mismanagement and misappropriation of the Dargah's funds. Furthermore, the petitioner highlights that in a prior round of litigation, this Court, by its order dated 10.11.2022, directed the second respondent to conduct an inquiry. However, the second respondent only issued an inquiry notice after the contempt petition was filed. The second respondent also stated that the first respondent is the competent authority to remove the trustee. Despite several representations submitted to the first respondent, no action has been taken against the fourth respondent. Left with no other option, the petitioner has filed the present writ petition.

4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would



W.P.(MD)No.4582 of 2025

WEB COPY

suffice, if this Court issues a direction to the respondents 1 to 3 to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.

5. Considering the limited request made by the learned counsel for the petitioner, this court, without going into the merits of the case, directs the petitioner to submit a fresh representation to the respondents 1 to 3 within a period of two weeks from today and the same shall be considered on merits and in accordance with law and pass appropriate orders, within four weeks thereafter, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

6. With the above directions, this writ petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

20.02.2025

Index : Yes / No

Internet : Yes / No

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W.P.(MD)No.4582 of 2025

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W.P.(MD)No.4582 of 2025

VIVEK KUMAR SINGH, J.

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W.P.(MD) No.4582 of 2025

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