



W.P.(MD).No.6299 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6299 of 2025

K.V.P.M.Jafarullah

... Petitioner

-VS-

1. The Chairman,
Tamil Nadu Waqf Board,
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.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 15.01.2025 and appoint them as Joint Muthawalli of the wakf namely Hazarath Khadir Ibrahim Aulia Alim Dargah at Thirumayam, Pudukottai District within a time frame as fixed by this Court.

For Petitioner : Mr.S.Sukumar

For Respondents : Mr.K.Jeyamohan



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ORDER

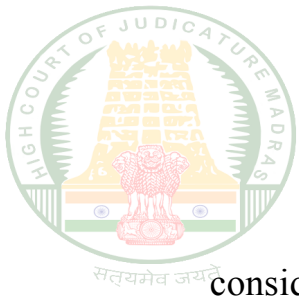
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This writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 15.01.2025 and appoint him as Joint Muthawalli of the wakf, namely, Hazarath Khadir Ibrahim Aulia Alim Dargah at Thirumayam, Pudukottai District within a time frame as fixed by this Court.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The petitioner made a representation to the respondent dated 15.01.2025, with regard to the appointment of the petitioner as Joint Muthawalli of the wakf, namely, Hazarath Khadir Ibrahim Aulia Alim Dargah at Thirumayam, Pudukottai District. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-



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consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondents to consider the petitioner's representation dated 15.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and all other persons, who may be interested in the subject matter, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

07.03.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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TO:-

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Vallal Seethakathi Nagar,
Chennai - 600 001.
2. The Chief Executive Officer,
Tamil Nadu Waqf Board,
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Order made in
W.P.(MD)No.6299 of 2025

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07.03.2025