



W.P.(MD).No.13015 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

CORAM:

THE HONOURABLE **MR.JUSTICE VIVEK KUMAR SINGH**

W.P.(MD)No.13015 of 2025

Vadakkutheru Jama-Ath Nirvaga Sabai,
Represented by its Vice President,
Mr.Abdul Hameed, Having Office at
19/357, North Street, Keelakarai,
Ramanathapuram -623 517.

... Petitioner

-VS-

1. Tamil Nadu Wakf Board,
Represented by its Chairperson,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
Seethakadi Nagar, George Town,
Chennai -600001.
2. The Superintendent of Wakfs,
Ramanathapuram Circle,
Office of the Superintendent of Waks,
Tamil Nadu Wakf Board,
176/11, First Floor, Thoppa Sayanam Road,
Vellipattinam, Ramanathapuram – 623 504.
3. The Chief Executive Officer,
Tamilnadu Waqf Board,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
Seethakadi Nagar, George Town,
Chennai -600001.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents to notify the scheme for the petitioner Jama-ath based on the representation dated 20.04.2025 within the time frame stipulated by this Court.

For Petitioner : Mr.A.Lebban

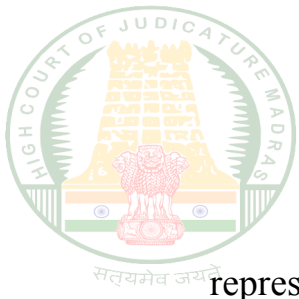
For Respondent : Mr.R.Jeyamohan

ORDER

This writ petition has been filed seeking a direction to the respondents to notify the scheme for the petitioner Jama-ath, based on the representation dated 20.04.2025 within the time frame stipulated by this Court.

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

3. The petitioner is a recognised jama-ath enlisted in the Government Gazette Serial no.181/Rama. The clauses that have been mistakenly made in the Waqf scheme have not been modified till date. Hence, the petitioner made a representation to the respondents dated 20.04.2025. Since the said



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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-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 third respondent to consider the petitioner's representations dated 20.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of six weeks 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.



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

29.04.2025

NCC : Yes/No
Index : Yes / No
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TO:-

1. The Chairperson,
Tamil Nadu Wakf Board,
No.1, Jaffar Sarang Street,
Vallal Seethakathi Nagar,
Seethakadi Nagar, George Town,
Chennai -600001.
2. The Superintendent of Wakfs,
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Office of the Superintendent of Waks,
Tamil Nadu Wakf Board,
176/11, First Floor, Thoppa Sayanam Road,
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3. The Chief Executive Officer,
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.13015 of 2025

Dated:
29.04.2025