

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR

&

THE HONOURABLE SMT. JUSTICE P.V.ASHA

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

OP (WAKF).No. 13 of 2015 (R)

AGAINST THE ORDER/JUDGMENT IN WTOA 1/2012 of WAKF TRIBUNAL, KAVARATTI D
PETITIONER(S):

1. S.V.P POOKOYA AGED 75 YEARS
S/O. SYED KOYA
RESIDING AT SHEIKINTE VEEDU PADIPPURA
ANDROTT ISLAND, LAKSHADWEEP.

2. S.V.SYED MUHAMMED KOYA THANGAL AGED 55 YEARS
S/O. ATTAKOYA THANGAL, RESIDING AT SHEIKINTE VEEDU
ANDROTT ISLAND, LAKSHADWEEP ISLAND.

3. S.V.P.SYED HASSAN THANGAL
S/O. JAMALUDDIN THANGAL, SHEIKINTEVEEDU PADIPPURA
ANDROTT ISLAND UNION TERRITORY OF LAKSHADWEEP.

BY ADVS.SRI.T.SETHUMADHAVAN (SR.)
SRI.R.PARTHASARATHY
SMT.N.DEEPA

RESPONDENT(S):

1. THE LAKSHADWEEP STATE WAKF BOARD
KAVARATTI
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER/SECRETARY
UNION TERRITORY OF LAKSHADWEEP
NEAR DISTRICT AND SESSIONS COURT, SANTHIPATH ROAD
KAVARATTI, LAKSHADWEEP ISLAND-682 553.

2. S.V.CHERIYAKOYA THANGAL
S/O. KOYAMMAKOYA THANGAL
RESIDING AT SHEIKINTE VEEDU, ANDROTH ISLAND
LAKSHADWEEP ISLAND, PIN-682 551.

R2 BY ADV. SRI.SYAM PADMAN
R1 BY ADV. SRI.S.RADHAKRISHNAN, SC, LAKSHADWEEP ADMN

THIS OP (WAKF) HAVING BEEN FINALLY HEARD ON 09-04-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP (WAKF).No. 13 of 2015 (R)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1 : COPY OF WTOA 1/12 ON THE FILE OF WAQF TRIBUNAL, KAVARATTI.
P2 : COPY OF THE ORDER OF THE 1ST RESPONDENT IN WC 1/2010.
P3 : COPY OF THE ORDER OF THE JUDGMENT OF THIS HON'BLE COURT IN SA
698/99.
P4 : COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WA 359/2010.
P5 : COPY OF THE ORDER IN IA 58/15 DTD.18.3.2015.

RESPONDENT(S) ' EXHIBITS

NIL

P.S. TO JUDGE

**T.R. RAMACHANDRAN NAIR &
P.V. ASHA, JJ.**

O.P. (Wakf)No.13 of 2015

Dated this the 9th day of April, 2015

JUDGMENT

Ramachandran Nair, J.

The petitioners have sought for the following directions:

“(i) To direct the Wakf Tribunal to comply with C.A. No.88/2015 and issue a certified copy of the order to the petitioners;

(ii) to issue an appropriate order directing the first respondent to keep in abeyance the operation of the judgment in W.T.O.A. No.1/12 on the file of the Wakf Tribunal, Lakshadweep dated 17.3.2015 for a further period of two months from 18.4.2015 so as to enable the petitioners to file a revision petition before this Court.”

3. We heard learned Senior Counsel for the petitioners Shri T. Sethumadhavan and learned counsel Shri P.A. Harish, learned Standing Counsel for the first respondent and Shri Syam Padman, learned counsel appearing for the second respondent.

4. It is submitted by the learned Senior Counsel for the first

respondent that the Tribunal has kept in abeyance the order till 18.4.2015. Learned counsel appearing for the second respondent submitted that copy of the order was issued to the petitioners today and learned Standing Counsel for the first respondent submitted that copy is ready for issuance to the petitioners.

5. Therefore, the petitioners will have to collect copy from the Tribunal. We are informed that the Sub Divisional Officer, Androth is in possession of the mosque, as per the arrangements made at the earlier stage of the proceedings.

6. For enabling the petitioners to file a revision petition before this Court, we direct to keep in abeyance the implementation of the order of the Wakf Board till 10.5.2015.

The Original Petition is disposed of as above. No costs.

(T.R. RAMACHANDRAN NAIR, JUDGE.)

(P.V. ASHA, JUDGE.)

kav/