

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

OP (WAKF).No. 28 of 2015 (R)

AGAINST THE ORDER/JUDGMENT IN OS 7/2014 of WAKF TRIBUNAL, KOLLAM

PETITIONER(S)/DEFENDANT:

DR.RAJAN PHILIP MATHEW, AGED 73 YEARS,
S/O.LATE A.J.MATHEW, LELEANON HOUSE, DUTCH SQUIRE,
SEA VIEW WARD, ALAPPUZHA WEST VILLAGE, ALAPPUZHA.

BY ADVS.SRI.P.HARIDAS
SRI.P.C.SHIJIN

RESPONDENT(S)/PLAINTIFF:

PADINJARE SHAFI MUSLIM JAMA-ATH,
SEA VIEW WARD, ALAPPUZHA, REPRESENTED BY ITS SECRETARY,
HAJEE A.M MUBARACK, S/O.MUSTHAFFA HAJEE,
RESIDING AT BAITHUNNOOR, THONDANKULANGARA,
AVALUKKUNNU POST, 688 001.

THIS OP (WAKF) HAVING COME UP FOR ADMISSION ON 29-09-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

DG

OP (WAKF).No. 28 of 2015 (R)

APPENDIX

PETITIONER(S)' EXHIBITS:

P1: TRUE COPY OF THE PLAINT DATED 12/10/2010.

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A TO JUDGE

**THOTTATHIL B.RADHAKRISHNAN &
ANU SIVARAMAN, JJ.**

O.P.(Wakf).No.28 of 2015

Dated this the 29th day of September, 2015

J U D G M E N T

Thottathil B.Radhakrishnan, J.

- 1.This original petition is filed invoking Article 227 of the Constitution of India seeking direction for expeditious disposal of a suit pending before the Wakf Tribunal, Kollam. We have obtained a report from that Tribunal.

- 2.The suit was laid by the respondent Jama-ath in 2010 before the Munsiff's Court, Alappuzha. In 2014, that was re-presented before the Wakf Tribunal, Kollam. In 2015, Wakf Board was impleaded as additional 2nd defendant. The matter now stands awaiting for the written statement of the Wakf Board. We think that the petitioner, a senior citizen stated to be aged about 75 years, deserves an expeditious disposal of the suit filed against him. We, therefore, direct that the Wakf Board, if

it desires to place written statement on record, shall do so before the learned Tribunal, at the earliest. The Tribunal will make earnest efforts to dispose of O.S.No.7 of 2014 without delay.

Original petition ordered accordingly.

Issue free copy to the standing counsel for the Wakf Board and communicate to the Tribunal.

Sd/-
(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

Sd/-
(ANU SIVARAMAN, JUDGE)

//TRUE COPY//

P.A TO JUDGE

DG