

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN

&

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

OP (WAKF).No. 38 of 2015 (R)

AGAINST THE ORDER/JUDGMENT IN WOS 20/2014 of WAKF TRIBUNAL, ERNAKULAM
DATED

PETITIONER(S) :

V.S.HUSSAIN AGED 44 YEARS, S/O. SHAHUL HAMEED,
VALIYAVEETIL HOUSE, ERATTUPETTA-686 122, KOTTAYAM DISTRICT.

BY ADV. SRI.ESM.KABEER

RESPONDENT(S) :

1. MOHIYUDEENPALLI JUMA-ATH MAHALLU COMMITTEE,
THEKKEKARA, ERATTUPETTA, KOTTAYAM-686 122
REPRESENTED BY ITS SECRETARY.
2. NAZAR KALLAR, S/O. HASSAN PILLAI, AGED 53 YEARS,
THOONGANPARAMBU, ERATTUPETTA-686 122, KOTTAYAM DIST.
3. SALIM HAJI, S/O. KOCHU THAMPI, AGED 55 YEARS,
KUNATTUMOOTIL (VYSHYAM PARAMBIL),
ERATTUPETTA-686 122, KOTTAYAM DISTRICT.
4. MUHIYUDHEEN PALLI JAMA-ATH COMMITTEE,
THEKKEKARA, ERATTUPETTA, KOTTAYAM-686 122,
REPRESENTED BY ADHOC COMMITTEE CONVENER
P.A. MUHAMMED SHAFEEQ, PAZHAYAPARAMBIL, ERATTUPETTA P.O.
5. THE KERALA STATE WAKF BOARD, REPRESENTED BY ITS
CHIEF EXECUTIVE OFFICER, VIP ROAD, KALOOR,
ERNAKULAM-682 017.

R5 BY SRI.K.SHIBILI NAHA, SC, KERALA STATE WAKF BOARD

THIS OP (WAKF) HAVING COME UP FOR ADMISSION ON 11-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1-TRUE COPY OF SUIT IN O.S.NO.20/2014 OF WAKF TRIBUNAL, ERNAKULAM.

EXT.P2-TRUE COPY OF ORDER IN IA NO.114/2014 IN OS NO.20/2014

EXT.P3-TRUE COPY OF ODER DATED 18.11.2014

EXT.P4-TRUE COPY OF NOTICE DATED 27.5.2015

EXT.P5-TRUE COPY OF BYE-LAWS OF APPROVED BY WAKF TRIBUNAL

EXT.P6-TRUE COPY OF JUDGMENT IN OP WAKF 29/2015 DATED 29.9.2015.

// TRUE COPY //

P.S. TO JUDGE

**P.N. Ravindran &
Babu Mathew P. Joseph, JJ.**

O.P.(Wakf) No.38 of 2015

Dated this the 11th December, 2015

JUDGMENT

P.N. Ravindran, J.

The petitioner is the defendant in W.O.S.No.20 of 2014 on the file of the Wakf Tribunal, Ernakulam. In this original petition filed under Article 227 of the Constitution of India, he challenges Ext.P4 bye-laws governing the administration and management of the Mahallu Committee of the first respondent and seeks an order directing the Wakf Tribunal, Ernakulam to cancel the approval granted to Ext.P4 bye-laws.

2. When this original petition came up for admission hearing today, learned counsel appearing for the petitioner sought permission to withdraw the original petition reserving liberty with the petitioner to file a fresh original petition in relation to the same subject matter. It was submitted that there are lot of typographical errors which are incapable of being corrected by an application for correction and that to carry out the corrections, substantial amendments will have to be made.

In the light of the aforesaid submission, this original petition is dismissed as withdrawn, reserving liberty with the petitioner to file a

fresh original petition in relation to the same subject matter.

(P.N. Ravindran, Judge.)

(Babu Mathew P. Joseph, Judge.)

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